



GLOUCESTER CITY COUNCIL
Planning & Development Committee
Wednesday, October 22, 2014 – **5:30 p.m.**
1st Fl. Council Committee Room – City Hall
(Items May be taken out of order at the discretion of the Committee)

1. ***Special Events Application: Request to hold the Gloucester Christmas Parade and Tree Lighting on November 30, 2014***
2. ***Memorandum from Administration re: Options for the Fuller property RFP (Cont'd from 10/08/14)***
 - A. ***Response Time Studies: "Police Zone Review" and "Evaluation of Relocation of Fire Headquarters"***
 - B. ***Memorandum from Mayor in response to inquiry by P&D Committee re: documentation requested from 10/08/14 P&D Committee Meeting***
3. ***Letter from Lane's Cove Historical Association, Inc. re: Lane's Cove Public Landing and Lane's Cove Fish Shack***
4. ***Letter of request for revision of condition/restriction #1 from Angela Procaccini regarding Outdoor Parking permit at 2 Long Beach Road***
6. ***SCP2014-011: Main Street #260, Map 13, Lot 8, GZO Sec. 1.10.1(a)(3) and 3.2.2(a) for a decrease in the minimum lot area and open space per dwelling unit***
7. ***CC2014-039 (Verga) Request P&D & O&A Standing Committees review the positions of Harbor Planning Director and the Executive Director of the Fisheries Commission (Cont'd from 10/08/14)***

COMMITTEE
Councilor Greg Verga, Chair
Councilor Paul Lundberg, Vice Chair
Councilor Steven LeBlanc

CC: Mayor Kirk
Linda T. Lowe
Salvatore DiStefano, Sr.
Tom Daniel
Gregg Cademartori
Police Chief Leonard Campanello
Fire Chief Eric Smith

The listing of matters is those reasonably anticipated by the Chair which may be discussed at the meeting. Not all items listed may in fact be discussed and other items not listed may also be brought up for discussion to the extent permitted by law.

CITY CLERK
GLOUCESTER, MA

PH 2:59 CITY OF GLOUCESTER - SPECIAL EVENTS PERMITS

14 NAME OF EVENT: GLOUCESTER CHRISTMAS PARADE AND TREE LIGHTING DATE OF EVENT: Nov - 30, 2014

Special Events

Permitting is required for most types of special events. A "Special Event" is an event open to the general public; it can be held on public or private property; it may feature entertainment, amusements, food & beverages; it may be classified as a festival, road race, parade or walk-a-thon. A special event in the City of Gloucester, depending on the size and nature of the event, may require a number of permits or approvals from various departments within the City before it is officially approved and is granted a "special event" permit. Furthermore, special events are also governed by the Gloucester Code of Ordinances §11-8 and §11-10.

In order to assure that the City, as well as the special event applicant, has as much information as needed before beginning the permitting process, the City requires the applicant to come to the City Clerk first. The applicant **must complete** a Special Events Application form in advance, including written approvals, (as provided in the application) which includes:

- Date of Event; hours of Event; Rain Date: RAIN DATE DEC 7, 2014
- A detailed site plan or map of the area showing all locations for the following: all American with Disabilities Act (ADA) accessibility, pedestrian and fire access, dimensions of stages & tents; type of equipment or generators & the placement of any vendors and any portable toilet facilities (Site plan/map must be 8-1/2 x 11 inches and be legible - capable of copy reproduction);
- If the site of the event is privately owned, a letter from the landlord or property owner giving the applicant the right to use the property is required;
- If the event is featuring entertainment, you need to list all performances;
- If the event is featuring amusements, you need to list all rides & games;
- If this is the "first year" of your event, please attach any letters of support from local community and business organizations;
- A list of all vendors including food and if propane is used. Vendors will need state or city license before date of event and Health Department approvals;
- Certificate of Insurance listing City as the insured (Certificate Holder).

After the Applicant presents the application to the Special Events Advisory Committee, the applicant is to submit the completed permit form (download at: gloucester-ma.gov or available in City Clerk's office) signed and dated with cash or check made payable to the City of Gloucester: \$25.00 for non-profit organizations, \$50.00 for for-profit organizations, at the City Clerk's office. At that time, an appointment for a review prior to the submission of the permit to the City Council process must be made at the convenience of the City Clerk, in order to begin the approval process. All first time applicants must file completed application and finalized at least 60 days in advance of their event; annual event applicants must file completed application and finalized at least 45 days in advance. Non-compliance with these filing deadlines may result in denial of the application.

Linda T. Lowe, City Clerk
Gloucester City Hall, 9 Dale Avenue
Gloucester, MA 01930
PHONE: 978-281-9720
EMAIL: llowe@gloucester-ma.gov

Hours of Service:
Monday through Wednesday: 8:30 a.m.-4:00 p.m.
Thursday: 8:30 a.m. to 6:30 p.m.
Friday: 8:30 a.m. to 12:30 p.m.

Paul McGeary, City Council President & Councilor Greg Verga, Chair, Planning & Development Committee

Completed copy filed: Date: 10/2/14 Initial: LLT Copy to Applicant: Date: _____ Initial: _____
Fee Paid: \$ _____ Date: _____ Initial: LLT

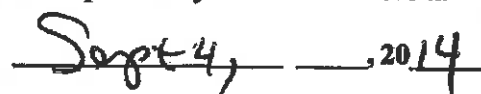
Request for waiver

RESPONSIBILITIES OF APPLICANT

1. All members of the organizing committee and concessionaires/vendors must adhere to the rules and regulations set forth by all applicable departments.
2. The applicant and concessionaire/vendor are responsible to pay all applicable fees required by applicable ordinances and State law. Any non-payment of fees to any City department will result in the denial of the application.
3. The applicant is responsible to ensure that there is no illegal activity on the areas under their supervision during the event.
4. All concessions must be stationary and placed in such a way to not hamper the access of pedestrians. They must be placed tight against curbs, not block fire hydrants or sidewalk ramps. Concessions must be moved if in the opinion of City officials on-site they pose a problem for access or public safety. Concessions utilizing compressed gas or generators or propane must comply with the regulations of the City of Gloucester Fire Department and receive approval through the Licensing Commission.
5. Federal & State law requires a minimum of 4 ft. of clear unobstructed sidewalk be available at all times for pedestrians. The applicant must keep sidewalks, ramps and curb cuts clear of any interference from their vendors or their event participants. No storage is allowed on the sidewalk.
6. Any items to be sold must be listed with their prices. All beverages in cans and plastic bottles and must be recycled according to the City of Gloucester recycling guidelines. The use of any type of glass containers is prohibited unless prior approval is granted by the *Department of Public Works*.
7. The applicant will be responsible for any damage to public property caused by the event.
8. All applicants are responsible for filing their applications in a timely manner: First time applicants must file completed application 90 days in advance and have finalized all necessary approvals at least 60 days in advance of their event. Annual event applicants should file completed application 75 days in advance and have finalized at least 45 days in advance. Non-compliance with these deadlines may result in denial of the application.
9. The applicant shall indemnify and hold harmless the City of Gloucester and its employees from any damage it may sustain or be required to pay by reason of said event, or by any reason of any act or neglect by the applicant or their agent relating to such event or by reason of any violation of the terms and condition of this license. Applicant shall also provide a Certificate of Insurance prior to approval by the Planning & Development Committee.
10. The City of Gloucester reserves the right to deny the application at any time.

I/We fully understand and agree to all the terms set forth in this application. The information that I/We have provided is truthful and accurate. I/We accept all responsibility related to this event.


Signature of Applicant



CITY APPROVAL (FOR COMMITTEE MEMBERS USE ONLY):

NAME OF EVENT: Christmas Parade DATE OF EVENT: Nov. 30, 2014

You will need to obtain all necessary approvals, permits or certificates from the following Departments: Please note that costs for some City support services during an event are an estimate only. Some Departments may forward an invoice for services rendered at the completion of the event and others may request payment in advance. **NOTE:** Applicants must comply with the Code of Ordinances, Ch. 11 (Vendors) as applicable and as required by City Clerks and/or Licensing Commission and all other applicable ordinances.

Approvals Required: Written approvals below should be submitted by time of applicant's appearance before the Planning & Development Committee by this form (below) and if necessary by memorandum or email from the appropriate City staff to the Office of the City Clerk.

Initials of
Dept. Head/
Designee

Notes by Department Head or Designee

Rain Date Dec. 7, 2014

- | | | |
|-----------|---|--|
| <u>LT</u> | 1. Special Events Advisory Committee | <u>10/2/14</u> |
| | 2. Planning & Development Committee | |
| | 3. Gloucester Police Department | <u>A/C John McCarty</u> |
| | Is Police Detail Required? | <u>No - off watch</u> No. of Details <u>0</u> |
| | Traffic, Parking & Transportation | Street Closure: _____ |
| <u>RN</u> | 4. Health Department | <u>10/2/14</u> |
| | 5. Building Inspector | |
| | 6. Electrical Inspector | |
| <u>WV</u> | 7. Department of Public Works: | <u>10/2</u> <u>Kent Circle</u> |
| | Use of City Property: <u>Yes</u> /No | Location if yes: <u>SEVERAL STREETS</u> Permits: _____ |
| <u>TA</u> | 8. Gloucester Fire Department | <u>10/2/14</u> |
| | Is a Fire Detail Required? | No. of Details _____ EMS _____ Use of Propane: _____ |
| | (Attach EMS Memo) | <u>Fire Dept participates in Parade</u> |
| | 9. Licensing Commission (includes vendors) (Through City Clerk: | _____ |
| | 10. Licensing Board (Alcohol): | _____ |
| | 11. Harbormaster: | _____ |
| | 12. Other: | _____ |

The Departments or Committees listed above may have their own separate permit/application process. Applicants are responsible for applying for and obtaining all required permits & certificates from the various individual departments.

[Signature]
Signature of Applicant

October 2, 2014
Bob Barr

FOR PARADES, ROAD RACES, BIKE RIDES AND WALK-A-THON EVENTS ONLY

PARADE X

ROAD RACE _____

WALK-A-THON _____

1. Name, land line & cell phone number of contact person on the ground Day of Event:

JOE CIGLINO - 978-281-1227 - CHRISTMAS PARADE

RINGO TARR 978-490-0001 TREES LIGHTING

2. Name, Address & 24/7 telephone number of person responsible for clean up if different from above:

SAME

3. Locations of Water Stops (if any): NONE

4. Will Detours for Motor Vehicles be required? YES If so, where and what length of time:

- 4A. Are street closures required? YES (This is determined by the Police Department)

5. Parade Formation Location & Time for Participants: STATE FISH PIER - 3:00 PM

6. Dismissal Location & Time for Participants: KENT CIRCLE

7. Additional Parade Information:

- Number of Floats: 10 FLOATS/TRUCKS

- Location of Viewing Stations: PARKER ST, MAIN ST, WESTERN AVE
KENT CIRCLE

- Are Weapons Being Carried(If "Yes", Police approval may be required: Yes: No X

- Are Parade Marshalls Being Assigned to Keep Parade Moving: Yes: X No: _____

8. Name and Address of Insurer: CITY of GLOUCESTER

9. Attach or Provide a Certificate of Insurance naming the City of Gloucester the Certificate Holder.

ON FILE AT CITY CLERKS OFFICE

CITY OF GLOUCESTER SPECIAL EVENT APPLICATION

SPECIAL EVENTS

City Clerk's Office: 978-281-9720 Fax: (978) 282-3051

Name and Type of Event: 2014 CHRISTMAS PARADE / TREE LIGHTING CEREMONY

1. Date: Nov 30, 2014 Time: from 3:00 PM to 6:00 PM

Rain Date: DEC 7, 2014 Time: from SAME to

2. Location: PARKER ST - MAIN ST - WESTERN AVE

3. Description of Property: KEN CIRCLE Public ☒ Private ☐

4. Name of Organizer: JOE CIOFINO / RINGO TARR City Sponsored Event: Yes ☒ No ☐

Contact Person: SAM

Address: 153 MAIN ST Telephone: 978-281-1227

E-Mail: WEATHERVANE@VERIZON.NET Cell Phone:

Day of Event Contact & Cell Phone: JOE CIOFINO CELL - 978-325-2377

Official Web Site: RINGO TARR CELL - 978-490-0001

6. Number of Attendees Expected: 1000 Number of Participants Expected: 200

7. Is the Event Being Advertised? YES - ? Where? TIMES / GMC

7.(a) Is there a fee charged for tickets/attendance for event participation? Yes ☐ No ☒ List all fees if yes.

8. What Age Group is the Event Targeted to?

9. Have You Notified Neighborhood Groups or Abutters? Yes ☒ No ☐ Who?

Attach a copy of the notification to the abutters to this application.

10. For Profit Organization: ☐ Non-Profit Organization: ☒ Who will benefit financially from this event?

Activities: (Please check where applicable.) Subject to Licenses & Permits from Relevant City Departments:

Pop Corn - Hot CHOCOLATE FOR FREE
A. Vending: Food ☐ Beverages ☐ Alcohol ☐ Goods ☐ Total No. of Vendors*
(*Local or State license required)

B. Entertainment: (Subject to City's Noise Ordinance) Live Music DJ ☐ Radio/CD ☐
Performers Dancing ☐ Amplified Sound Stage

C. Games/Rides: Adult Rides ☐ Kiddie Rides TRAIN Games ☐ Raffle (requires City permit) ☐

Other: Total No.

Name of Carnival Operator (requires permit and inspection of rides): NONE

Address:

Telephone:

D. Clean Up: No. of additional trash receptacles required No. of additional recycling receptacles required
(To be provided by and removed by applicant at their expense.)

E. Portable Toilets: (To be provided by and removed by applicant at their expense. Each cluster of portable toilets must include at least one ADA accessible toilet)

No. : 1 standard No. : 1 ADA accessible

City Hall
Nine Dale Ave
Gloucester, MA 01930



TEL 978-281-9700
FAX 978-281-9738
jduggan@gloucester-ma.gov

CITY OF GLOUCESTER
OFFICE OF THE MAYOR

Memorandum

To: City Council President McGeary and Members of the Gloucester City Council

From: Jim Duggan, Chief Administrative Office 

Date: April 10, 2014

Re: Christmas Parade

I want to take this opportunity and clarify that the Christmas Parade scheduled for Sunday, November 30, 2014 (rain date of December 7, 2014), is a City of Gloucester sanctioned event, thus it is covered under the city's general liability insurance.

Thank you

14 OCT -2 PM 2:59
CITY CLERK
GLOUCESTER, MA

City Hall
Nine Dale Ave
Gloucester, MA 01930



TEL 978-281-9700
FAX 978-281-9738
ckirk@gloucester-ma.gov

CITY OF GLOUCESTER
OFFICE OF THE MAYOR

MEMORANDUM

TO: Dana Jorgensson, Clerk of Committees, City Clerk's Office
FR: Mayor Carolyn A. Kirk
RE: Administration's Response to P&D Requests of 10/9/14
DT: October 14, 2014

cc: City Council President Paul McGeary, P&D Chairman Greg Verga, Councilors Paul Lundberg and Steven LeBlanc, Chief Administrative Officer Sal DiStefano, Superintendent of Schools Dr. Richard Safier, and Gloucester School Committee Chairman Jonathan Pope

CITY CLERK
GLOUCESTER, MA
14 OCT 15 PM 1:20

Dear Clerk of Committees Jorgensson,

The Administration is in receipt of your request on behalf of the City Council Planning & Development (P&D) Sub-committee dated October 9, 2014. Please find below the response of the Administration to these requests:

1. The Response Time Study has been submitted to the City Council through the Mayor's Report for its meeting of October 14, 2014. It should now be in the possession of the City Councilors.
2. The Gloucester Public Schools Master Plan Study Final Report dated September 17, 2014 has been submitted by the Superintendent of Schools Dr. Safier to the Gloucester School Committee. As such, it is a public document and is available for review in the Superintendent's office.
3. The city's Capital Improvement Plan (CIP) is a continuous work in progress and is updated on an annual basis. Recent versions along with reports from the CIAB have been submitted to the City Council previously. To summarize the current status, the Administration is working on the Capital Improvement Plan for FY16-21. We anticipate that the updated CIP will be presented to the Capital Improvement Advisory Board (CIAB) in November which is on track for the Plan to be tied into the city's annual budget process for FY16.
4. The Administration will not entertain an additional independent evaluation of the current condition of the Fuller building and its surrounding grounds with an eye to reuse of the school for mixed use. Any such exercise is speculative in nature, and the city has no interest in becoming the developer or general contractor for a mixed use development of the site. Rather, a Request for Proposals, as requested by the Administration to the City Council, should be issued to allow private investment to lead such analysis if desired and to move a redevelopment project forward.
5. Every lease is reviewed according to its terms, and the Administration finds this question difficult to answer. For example, it is illogical to speculate on yearly costs for the next 10 to 30 years of the former St. Ann's school lease. The lease is for a term of two years for West Parish swing space after which there is no intention to renew. All annual lease amounts are contained in the city budget approved by the City Council.

It is the Administration's hope that this answers the questions from the P&D committee and we can move along with the Administration's request to issue an RFP of the Fuller site as swiftly as possible. The building has not been used as an elementary school in seven years, and as equal a factor in the City Council's decision-making as the questions posed here is the result of an RFP which we hope will reveal private development interest in the site. Without input from the market through an RFP, the Administration does not believe there to be a sound basis for deciding the future of the site.

GLOUCESTER PUBLIC SAFETY
Gloucester, Massachusetts



POLICE ZONE REVIEW
FINAL REPORT

October 1, 2014



DORE & WHITTIER
ARCHITECTS, INC.

260 Merrimac Street, Building 7
Newburyport, MA 01950
978.499.2999

212 Battery Street
Burlington, VT 05401
802.863.1428



CRITERION
ASSOCIATES

16 Balmoral Street, Suite 114
Andover, MA 01810
978.269.0072

Police Workload Zone Area Review

This analysis focuses on assessing the deployment of personnel in police patrol Zones in order to balance workload and to minimize response times to both emergency and non-emergency calls. It has been several decades since the Department has formally reviewed the lines of the patrol zones.

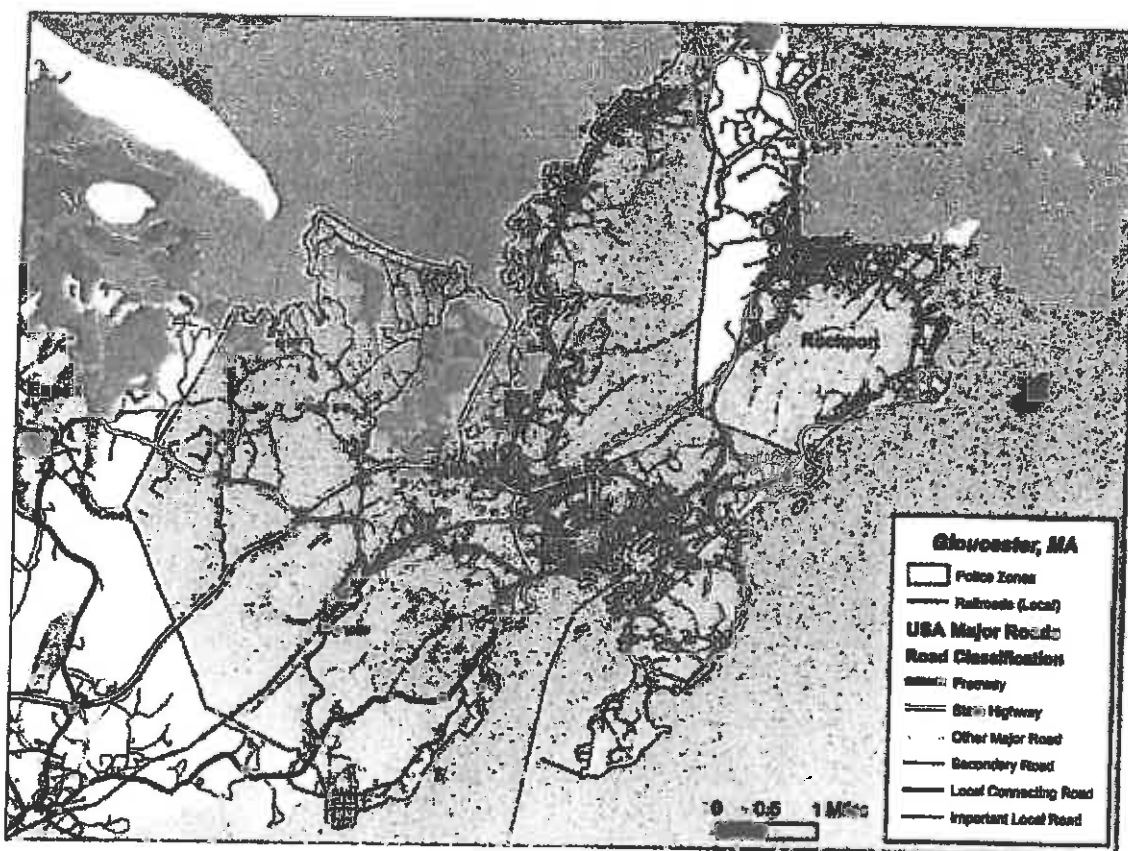
Conclusion

Small changes can and should be made to realign patrol zones. There is no impact on the location of these patrol zones, or community response times, which would result from shifting the location of police headquarters. Patrol zones in a relatively small community, such as Gloucester, are independent of the location of headquarters.

Current Law Enforcement Deployment

The Gloucester Police Department (GPD) deploys four officers per day over seen by a duty supervisor. That's about one officer per 10 square miles considering the area of the town (41 square miles) or one officer per 7,572 residents given the town population of 30,287¹. The City is divided into five patrol zone areas as shown on the following map. These patrol zones were digitally transferred into the GIS system by the project team based upon a hand drawn map provided by the GPD's command staff. According to the GPD, an officer is not routinely assigned to the Magnolia Precinct, resulting in the incidents in that area being covered by an available neighboring unit:

¹ US Census Bureau, 2010



State Highway 128 is the dividing line between the West and Magnolia patrol zones according to the hand-drawn map. The patrol zones differ greatly in land area, road networks and infrastructure development.

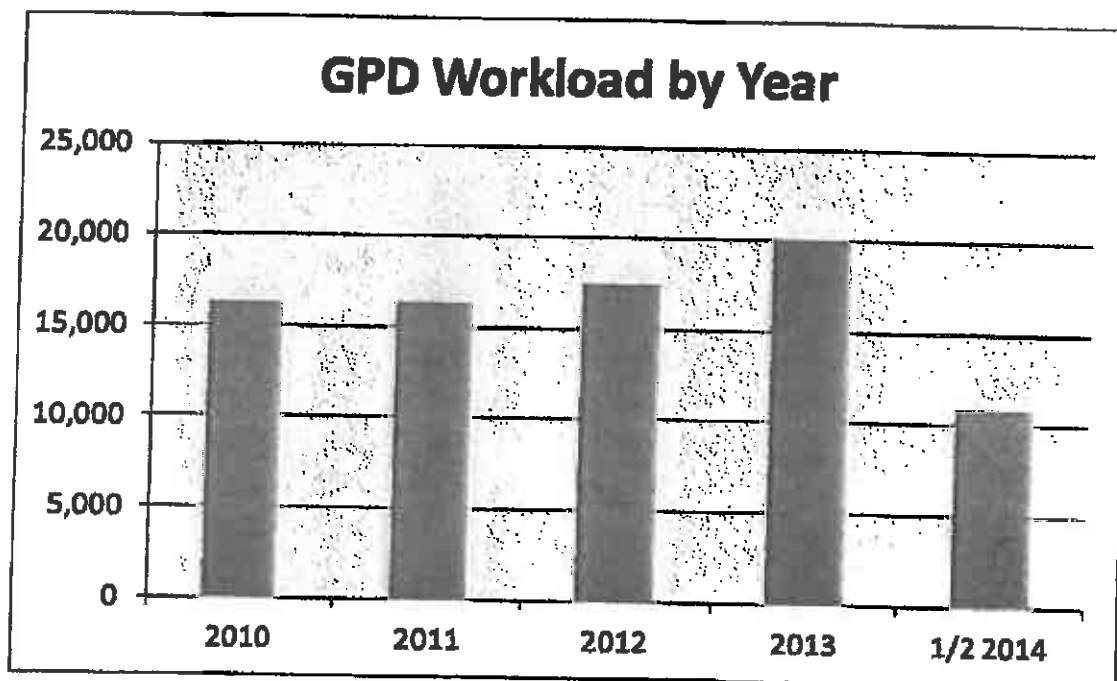
Policing Benchmarks

Police departments handle a wide variety of situations; many of them do not require an emergent response. Unlike most fire and EMS departments, police departments often differentially respond to calls for service depending on the associated level of urgency. The greatest factor for planning purposes is that the response matches community expectation. Hence, there are no national standards which are performance based on incident outcomes – each community must define its own response time expectations.

The focus of this report is on the impact that shifting the location of Police headquarters might have, if any, on the alignment of patrol zones. The project team took as a starting point the level of staffing (four officers) and the number of patrol zones (five zones) that the City current has in place, and developed our analyses using these two targets. To be clear, we were not asked to assess patrol staffing or deployment of personnel, other than as described.

GPD Workload Analysis

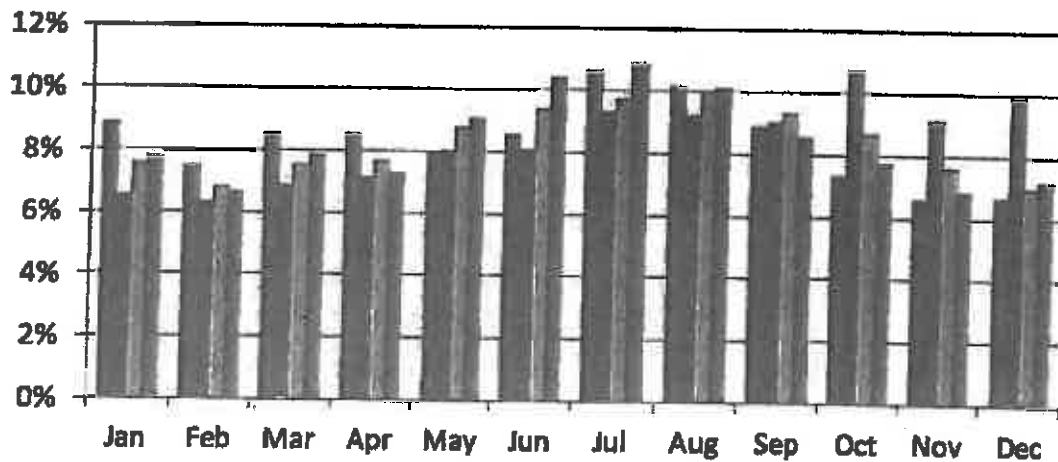
Police Incident data was obtained from 2010 through the end of July 2014 to be analyzed for workload, its balance by officer, by patrol Zone, and by the population served. The project team, in conducting these analyses, relied entirely on data provided by the GPD from their records management system. While we applied routine data management tools to make the data useful for our purposes, we are reliant on the GPD for providing the base data. Our first analysis was to determine the trend of the annual volume of police services. The "General Info" type of record was removed as they occurred especially at shift change and meant to inform officers rather than to assign them to an incident. The following graphic charts the change in incident volume for the police department since 2010:



The chart indicates that as of late, demand for police services has been increasing and in 2014, appears to be trending towards a point where workload will exceed 20,000 requests. Note that 2014 depicts approximately ½ of the calendar year. To determine if there is a seasonal trend, an analysis of incident volume by month of year is examined and the result is displayed in the following chart:

GPD Workload by Month

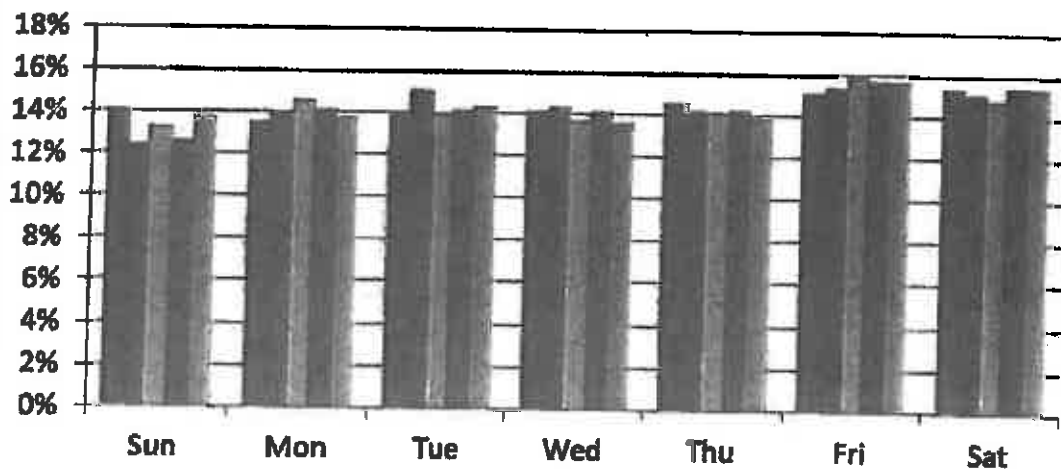
■ 2013 ■ 2012 ■ 2011 ■ 2010



There is an increase in requests for police as the summer months approach, peaking in July and August before waning as the cooler months and the winter season begin. In the autumn of 2012, the remnants of Hurricane Sandy affected Cape Ann causing an increased need for police services. It stands to reason since there is a seasonal trend to the monthly volume of incidents, a daily fluctuation may also be present. The following chart illustrate daily incident column since 2010:

GPD Workload by Day of Week

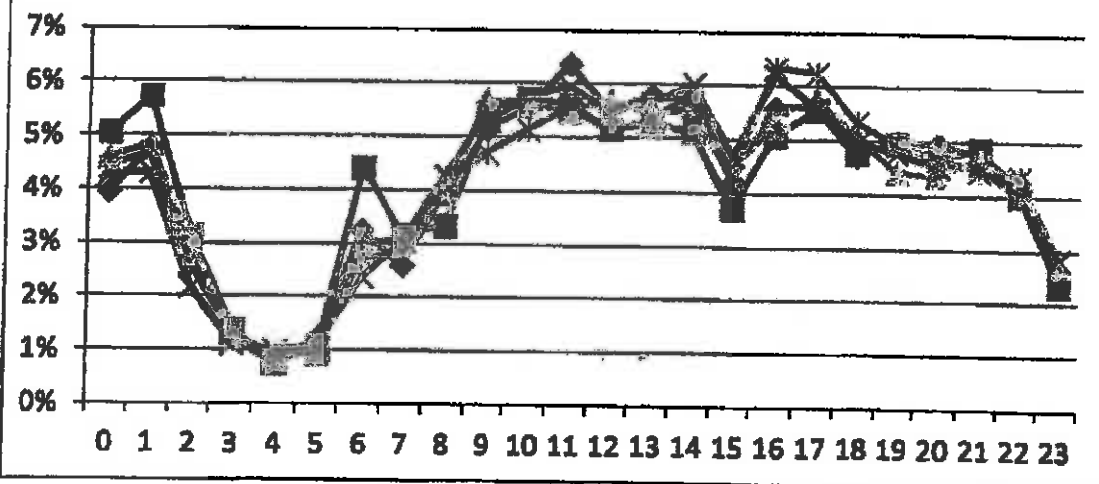
■ 1/2 2014 ■ 2013 ■ 2012 ■ 2011 ■ 2010



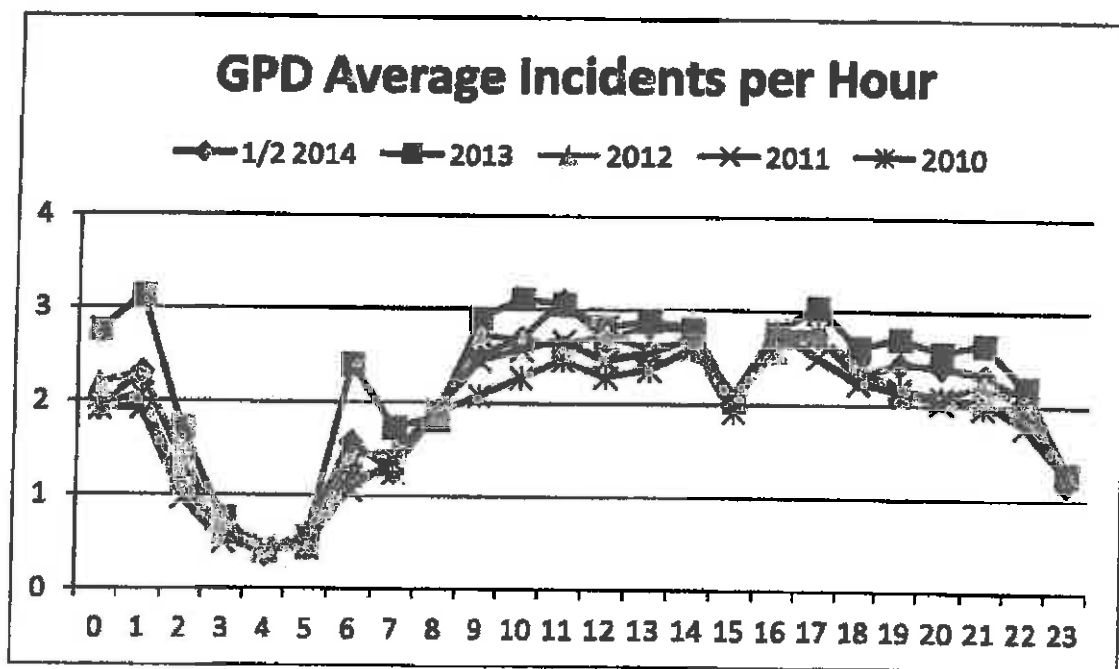
While Sunday has generally the least activity, it seems that during the week, activity is fairly constant until the weekend approaches when volume increases. As stated previously, law enforcement incident volume is highly correlated with human activity. As expected, the daytime hours are busier for GPD as displayed in the following graph.

GPD Workload by Hour of Day

—◇— 1/2 2014 —■— 2013 —△— 2012 —×— 2011 —*— 2010



Most importantly, the question is: Does the average hourly incident volume exceed the number of patrol officer's available? The next figure details the number of incidents per hour on the average over the course of the last four and a half years. Note that the highest average is when three officers are busy simultaneously, leaving one unassigned to respond to the next incident.



The next questions involve the police services related to the geographic demand intensity, the population levels, and the travel capability of assigned Zones. This will help determine whether the police Zones need to be adjusted.

Geographic Analysis of Law Enforcement Services

The City of Gloucester has been historically divided into five patrol zones and is associated on the hand drawn map with a hyphenated number. They are as follows:

- East Zone (1-1)
- Central Zone (2-2)
- North Zone (4-2)
- West (5-2)
- Magnolia Zone

These patrol zones may have historically been based upon the City's polling precincts as shown below as the numbering convention is similar and the patrol zone borders coincide with them

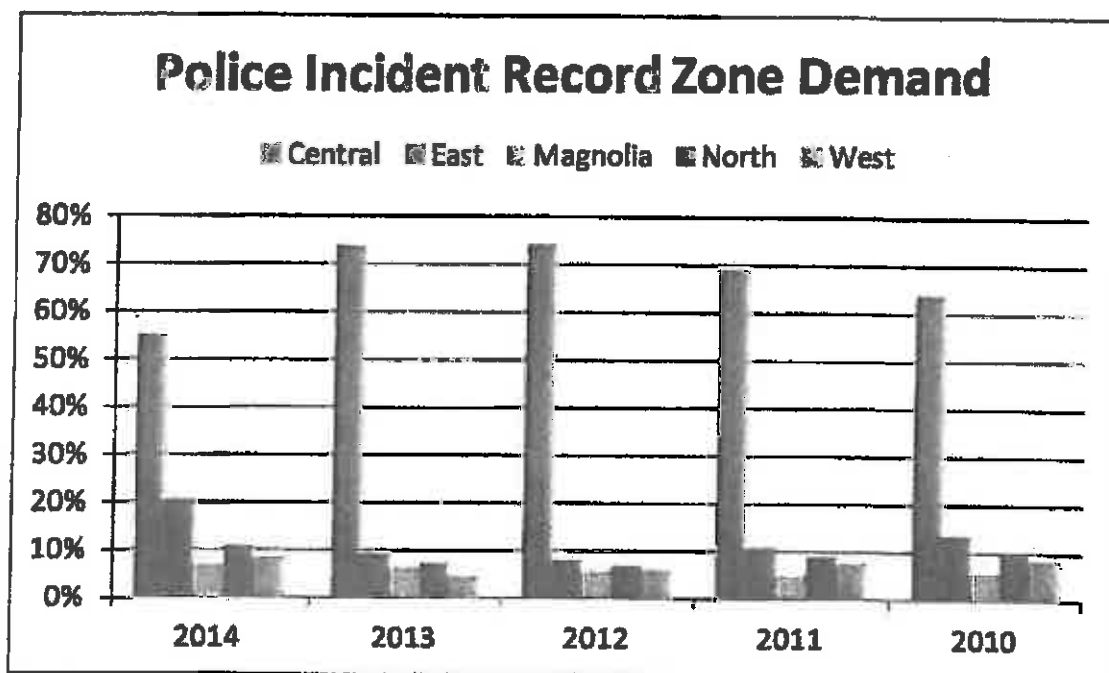
but not exactly.



In the Incident data record, a column "Zone" for each record was identified. The following methodology was performed:

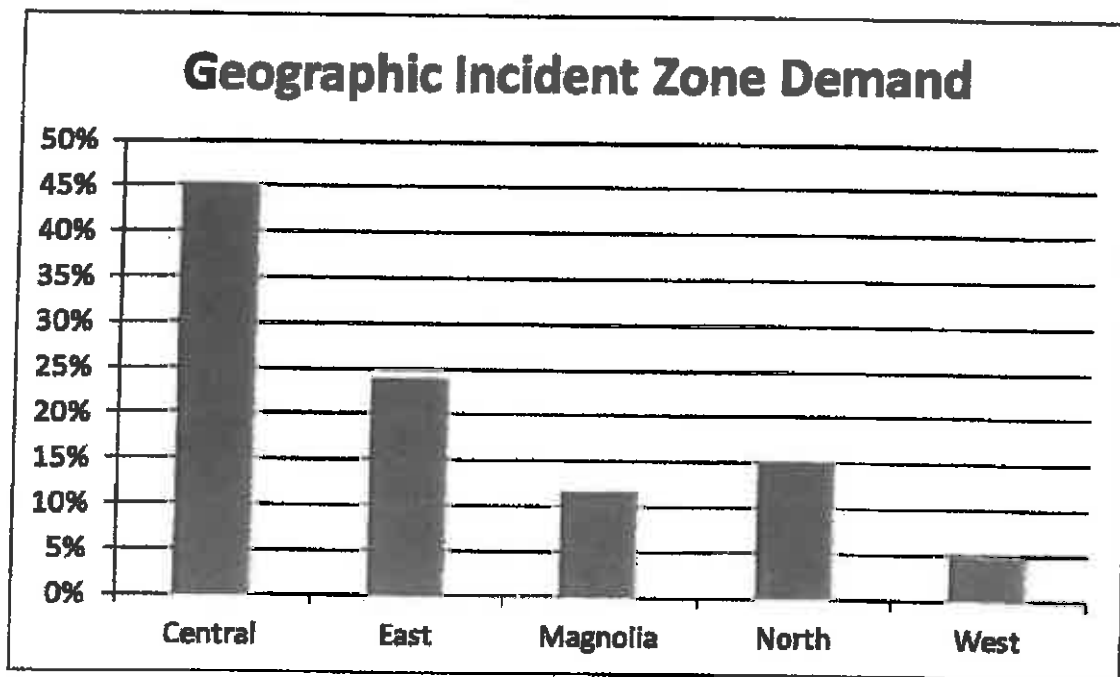
- Records that identified as within Zone beginning with "1" were categorized as "East"
- Records that identified within a Zone beginning with "2" were categorized as "Central"
- Records that identified within a Zone beginning with "3" were categorized as "Central" since these polling areas are closest to the central police Zone.
- Records that identified within a Zone beginning with "4" were categorized as "North"
- Records that identified within a Zone beginning with "5" were categorized as "Magnolia" unless.
- Records that identified within a Zone beginning with "5-2" and higher were categorized as "West"

The project team illustrates the results of data by patrol Zone, in the table which follows:

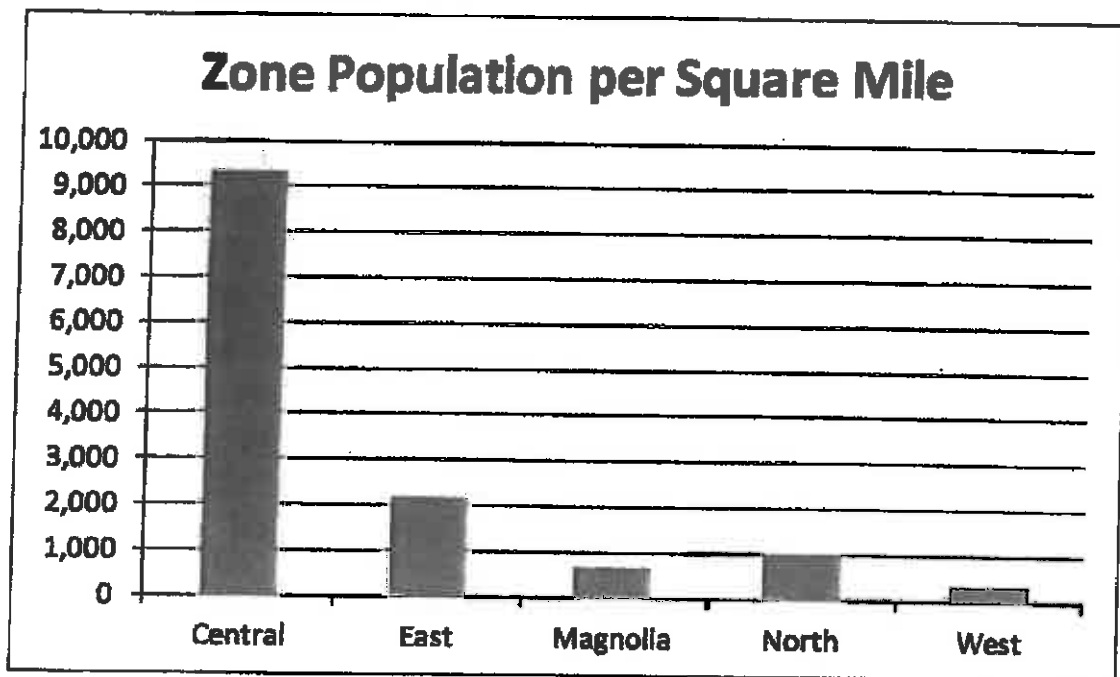


One way to cross-check the data is to geo-locate the address contained in each record to see which patrol zone it plots in on a map. Using the last full year of data, 40% of the total record² could be geo-located given various constraints within the data. The result of this analysis yielded a more diverse distribution of incidents, while the Central Zone remained the busiest area.

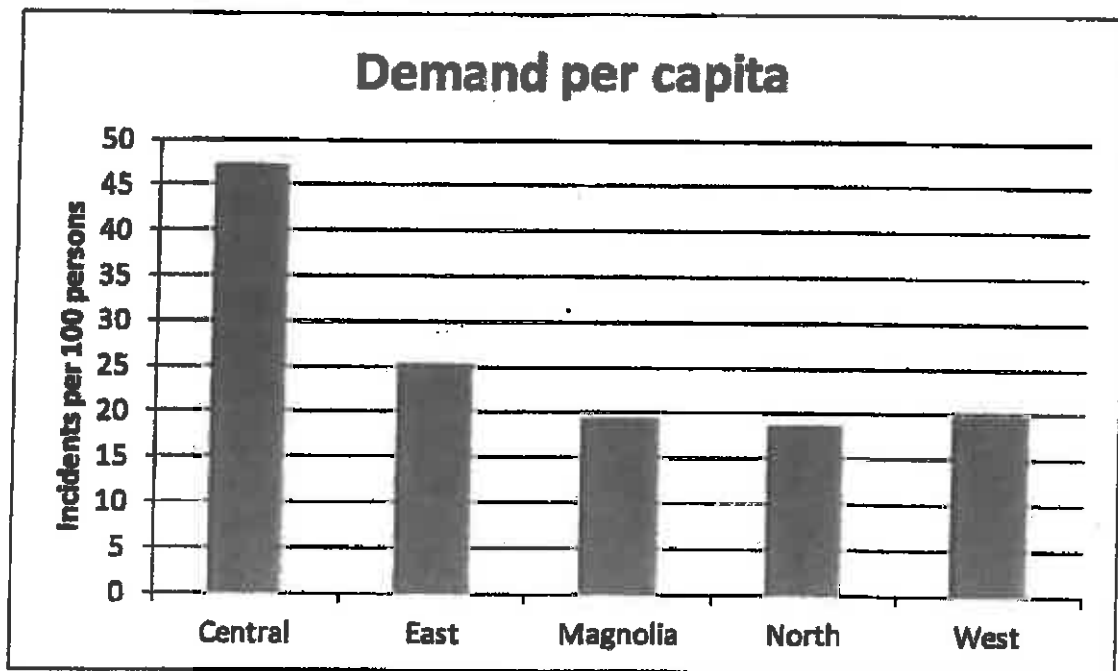
² Excludes "general info" incidents because they are not law enforcement activity, but most commonly track officers when they return to the station or are performing other administrative tasks.



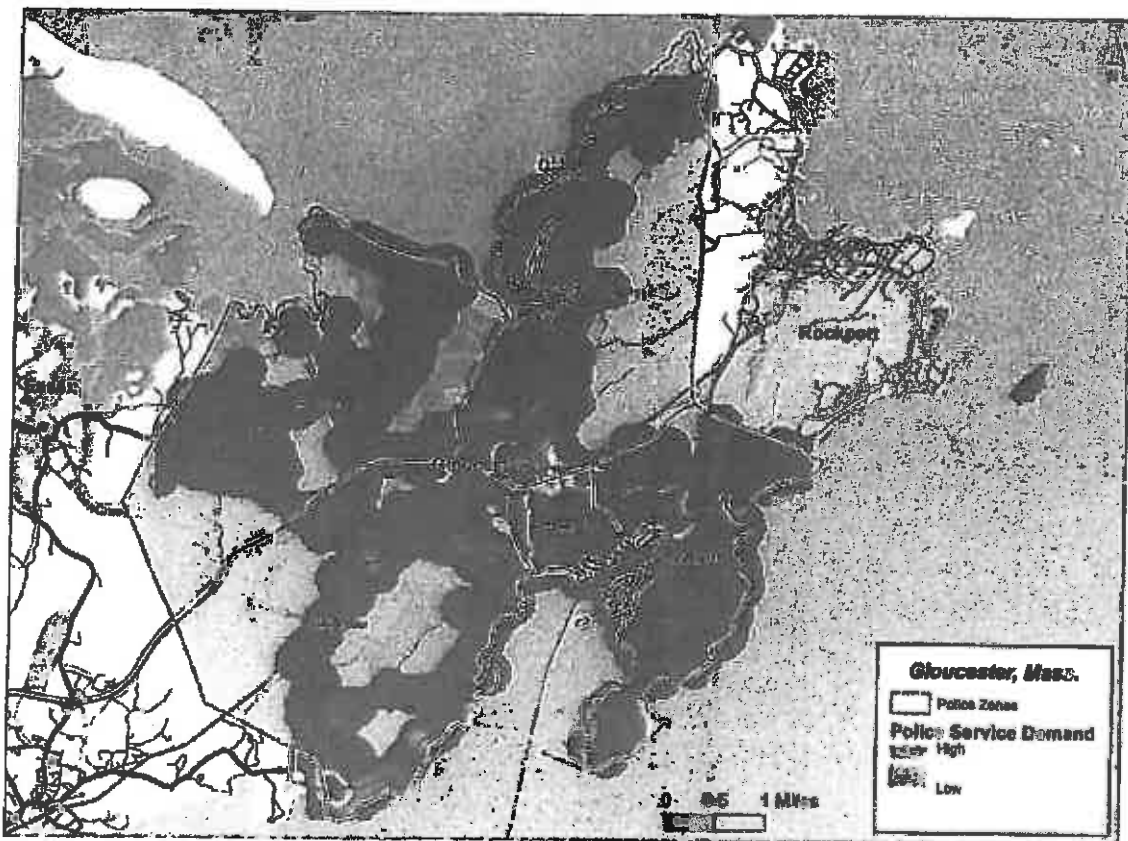
While there is more distribution outside of the Central Zone in this method, the West Zone and Magnolia Zone have switched in demand level. This may prompt GPD to reconsider the current officer assignment by Zone. However as stated previously, human activity is correlated to police requests and therefore it is reasonable to continue to assume that areas of higher population per square mile would generate more demand for services. The following chart measures the Zone population density.



This graph above more closely resembles the Geographic Incident Zone Demand graph and may indicate that the method of plotting addresses is a more accurate method. Because each Zone is different size areas and they also vary in demand, a demand per square mile would obviously show the Central Zone as most predominate. When relating the demand experienced against varying population levels, an interesting result emerges.



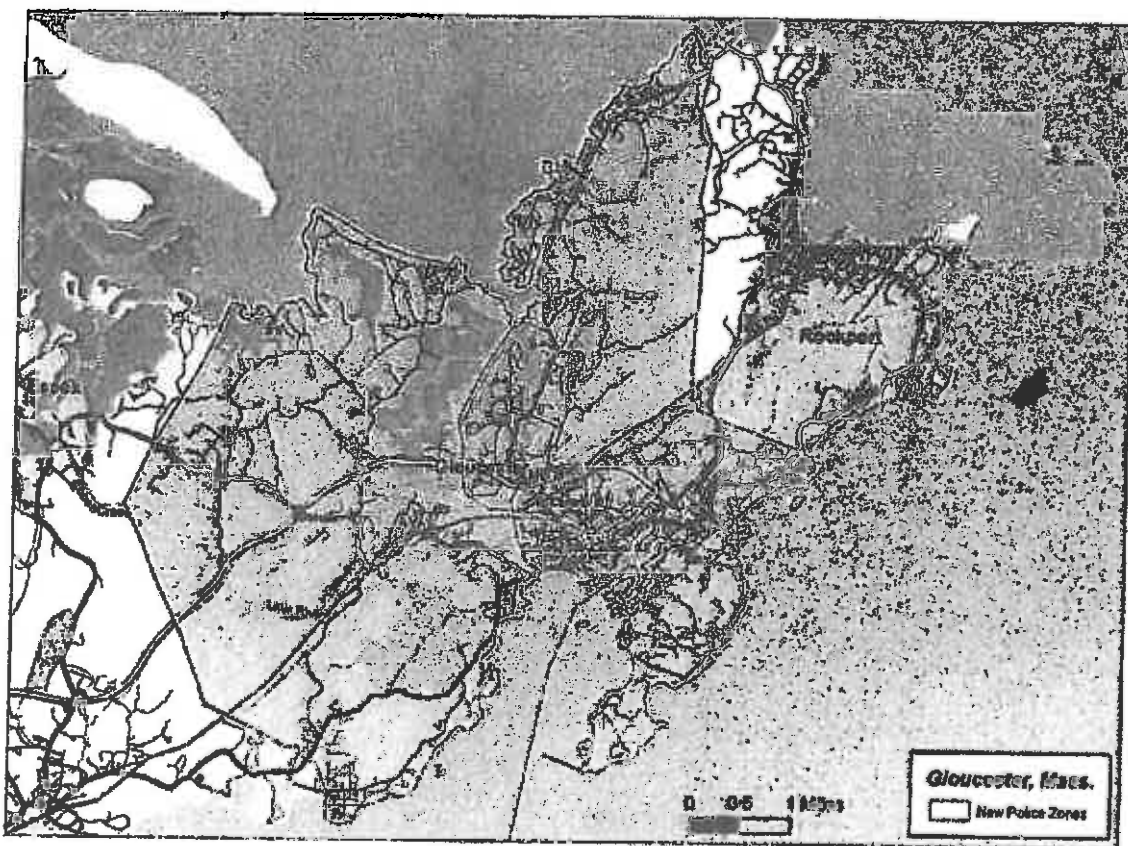
The demand per capita is nearly equal for the North, West, and Magnolia. This indicates a balanced workload for these Zones but they are less than the more populous areas of the East and Central Zones. The following map illustrates the demand intensity for police services in Gloucester. Outside of the expected high demand in the Central Zone and into the northwestern edge of the East Zone, there are pockets of demand on the southern edge of the North Zone and in the Magnolia area on the coast.



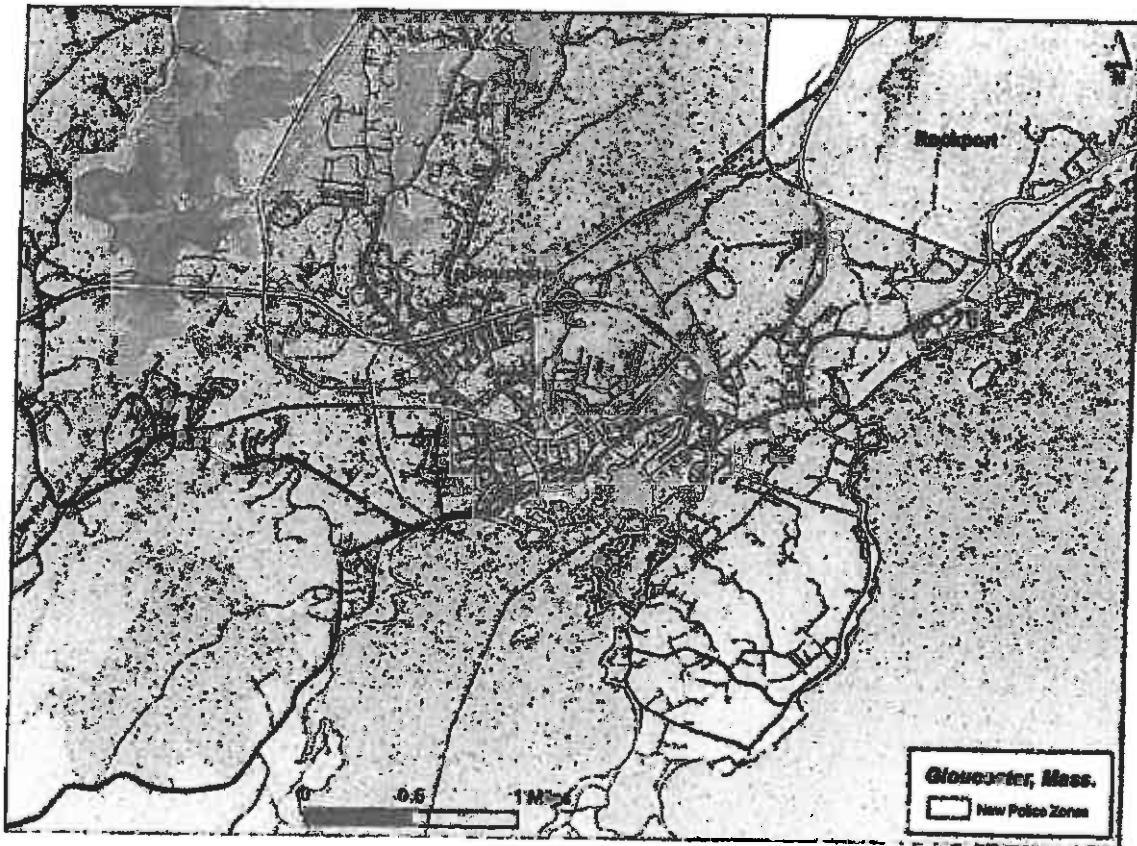
In order to balance the workload between patrol zones given that GPD deploys appropriately four officers given the current level of demand for services, it is best to divide the Central Zone into several Zones, perhaps trimming the East Zone. In addition, the West and Magnolia Zones ought to be combined. While this does not change the geography of demand, it statistically balances the Zone workloads. However, any effort to divide the Central Zone to allocate demand or population must take into account the accessibility of the roadway network and the physical and natural barriers that exist.

Recommended Modifications to Police Zones

The following is a potential realignment of the Zone areas to balance workload. Combining the West and Magnolia Zones and trimming the East Zone began the process. The railroad, waterways, and the State Highway were used as Zone dividers. In the Central Zone, it was divided into three areas.



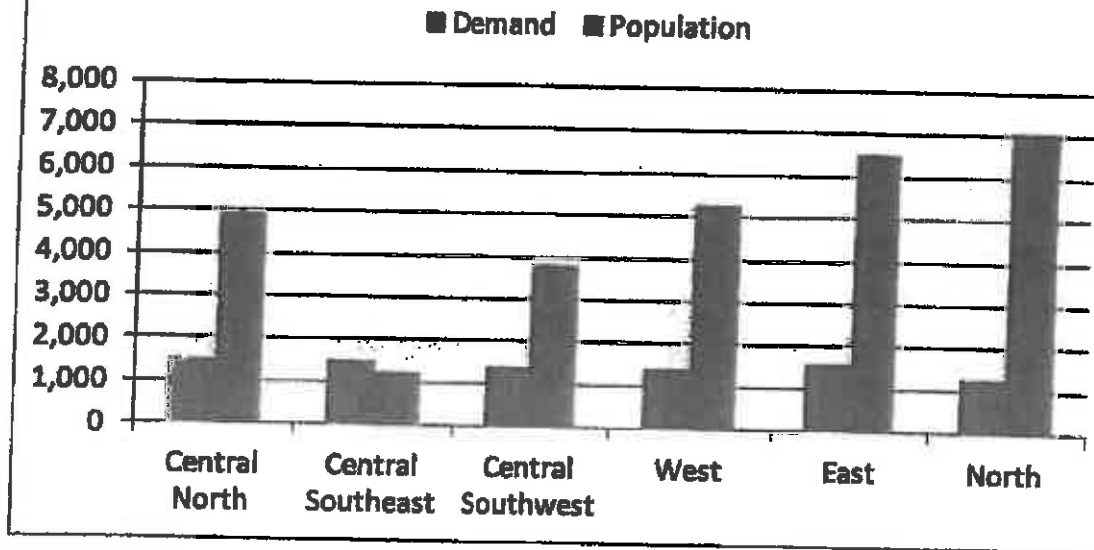
Specifically in the Central Zone, it was divided from the west along the railroad until it ran alongside Railroad Avenue where it followed Prospect Street to the intersection of Taylor Street. It ran straight along Taylor Street until the end and continued to its terminus on State Highway 128. North of this border became the Central North Zone. The resulting south area was divided into east and west Zones along School Street and Center Street until reaching the bay.



While this does balance the workload as seen in the resulting statistical graph that follows, the population levels still vary by Zone and therefore the demand per capita. Part of the issue with the smaller geographic area was the over 500 incidents³ that originated (addressed) from police headquarters located in this area.

³ Not General Info Calls

New Zone Workload & Population



However, as development progresses and population levels adjust, these new statistical Zones will also need adjustment at that time to balance the Zone workload or population served. While this would be useful if a unit is assigned to each Zone, it is just statistical maneuvering that serves little purpose. Since there is no response time requirement, unless one is desired by the citizens of Gloucester, the officers can be assigned a Zone response while maintaining their proximity to the workload intensive center of the City. These slight modifications to the patrol Zones will better balance the workload and should also improve response times within each Zone.

GLOUCESTER PUBLIC SAFETY

Gloucester, Massachusetts



EVALUATION OF RELOCATION OF FIRE HEADQUARTERS

FINAL REPORT

October 1, 2014



**DORE & WHITTIER
ARCHITECTS, INC.**

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Newburyport, MA 01950
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**CRITERION
ASSOCIATES**

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Evaluating the Relocation of Central Fire Station

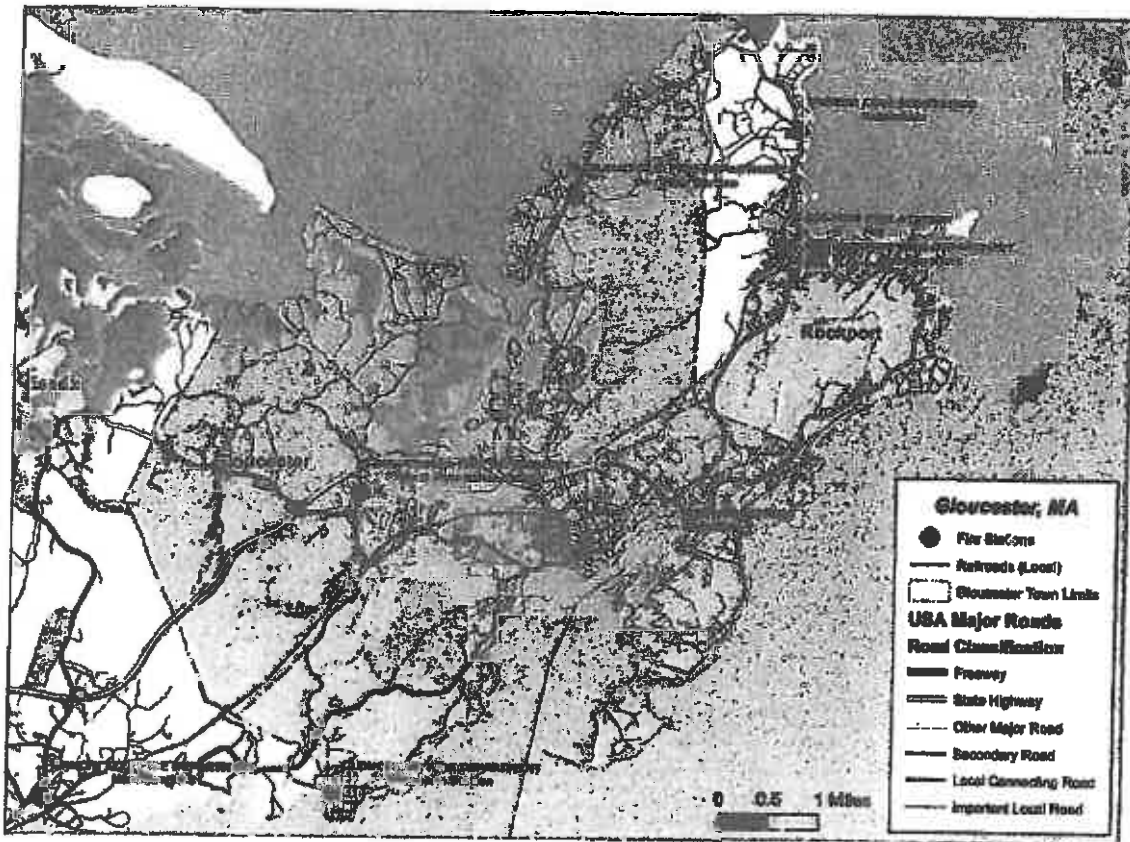
The focus of this analysis is to assess the potential impact on fire / rescue / EMS response in the City of Gloucester, Massachusetts. The City is considering closing the existing station in favor of opening a new headquarters fire station in conjunction with a public safety facility intended to house both the Gloucester Police Department (and all of its functions), the administration of the Gloucester Fire Department, and the emergency response units of the Fire Department.

Conclusion

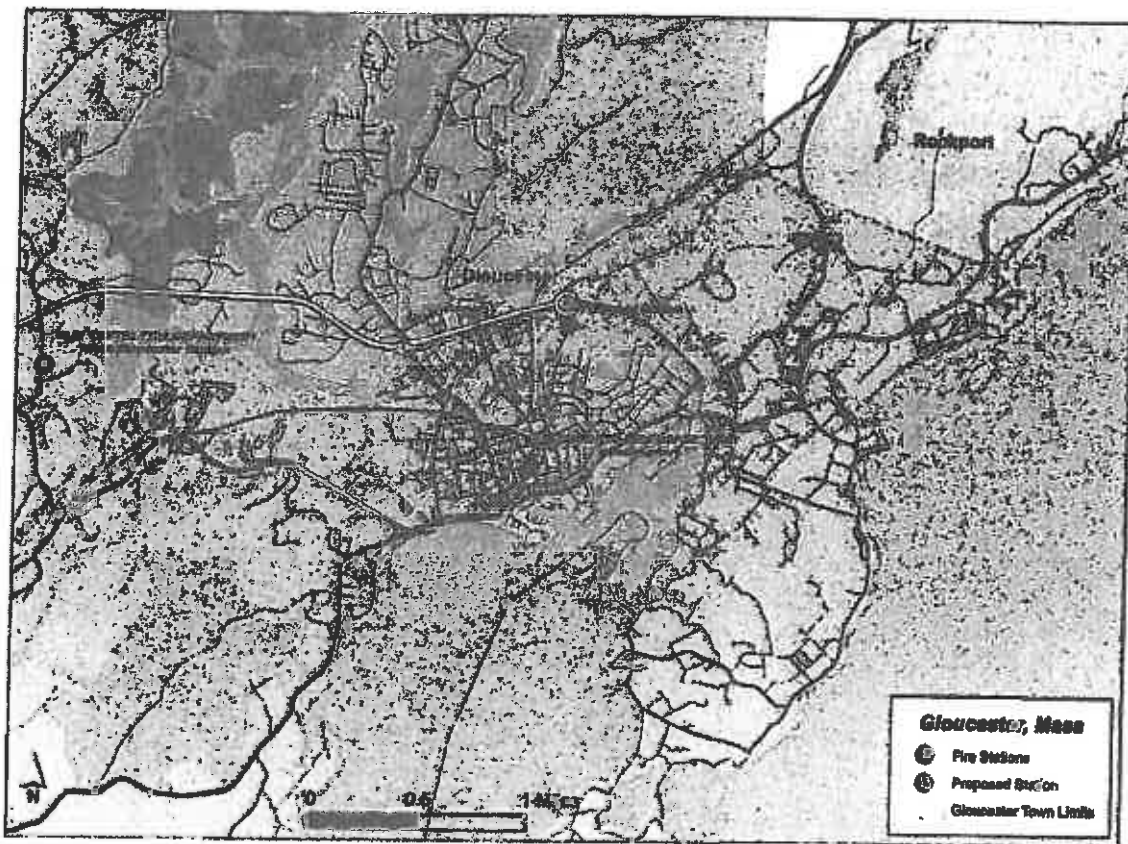
The movement of the Central Fire Station from its existing location downtown on School Street to a proposed new location on School House Road will enable the City to maintain its current level of fire / rescue service delivery as measured by response time. Our analysis shows that fractile response time performance remains essentially unchanged starting at the 4.5-minute time stamp and continues outwards. We project only a small increase in average response time coinciding with this change. These level of variance could be addressed in the design of the new public safety facility as the Fire Department strives to reduce its reaction time (the time between dispatch and station departure).

The Current Service Delivery Environment and System

Gloucester is a 41.4 square mile municipality (26 square miles of land area) in the Cape Ann area of Massachusetts and is home to 30,287 residents in 2010 according to the US Census Bureau. The Fire Department currently operates out of four stations. Each station has an engine company minimally staffed by two, except for Central station (headquarters) that has a 4-person engine company. Its ladder truck is also 4-firefighters staffed and runs from Central. In addition, the duty chief (staffed at 1) and the rescue ambulance (staffed at 2) also run from this location. The following is a map of the City and the locations of the fire stations:



The Gloucester Fire Department has asked for an impact evaluation of relocating its headquarters station on School Street downtown, to a piece of property just off the Yankee Highway traffic circle to the north of downtown. The following map illustrates this location relative to the current Central station.



The proposed station is less than a mile from the current location. This may not seem excessive to warrant such an analysis but in emergency services, seconds matter when it comes to the loss of life and property. There are three elements to evaluate for this relocation scenario. One element is the concern regarding the impact upon the coverage of the built structural environment that would be affected by the relocation of fire headquarters.

ISO Distance for Structural Coverage

The Insurance Services Office (ISO) reviews the fire protection resources within communities and provides a Public Protection Classification™ (PPC) rating system from which insurance rates are often based. The rating system evaluates three primary areas: the emergency communication and dispatch system, the Fire Department, and the community's pressurized hydrant or tanker-based water supply. The overall rating is then expressed as a number between 1 and 10, with 1 being the highest level of protection and 10 being unprotected or nearly so. It is also important to note that, according to the Insurance Services Office website information on the PPC™ minimum criteria, "the ISO generally assigns Class 10 to properties

beyond five road miles" from a fire station¹. The Gloucester Fire Stations are positioned so that the entire roadway mileage is within five miles from a station, and this would not change with Station #1's relocation.

A community's PPC™ can affect decisions insurers make regarding the availability and price of property insurance. Many insurance companies make at least some use of the classification to price their policies, determine which types of coverage to offer, or to determine deductibles for individual homes and businesses. Notwithstanding the community's classification, individual insurance companies establish their premiums, not the Insurance Services Office. The particular system that any given company uses when calculating premiums for property insurance may be affected by that company's fire-loss experience, underwriting guidelines, and marketing strategy. This makes it extremely difficult to generalize how any improvement or decline in the PPC™ rating will affect specific insurance policies or premiums.

The following figure shows how insurance premiums might vary for two typical structures under a couple of insurance companies' current rating schedules. While these figures are reasonable examples of the impact the PPC™ can make on insurance premiums, the value of the premium credits for the different PPC™ ratings will vary among insurance companies. This example chart was obtained from a report published by the League of Minnesota Cities entitled "The ISO Fire Protection Rating System".

Representative Insurance Premiums		
Fire Class	\$150,000 Residence	\$1,000,000 Office Building
1	\$670	\$2,950
2	\$670	\$2,980
3	\$670	\$3,020
4	\$670	\$3,040
5	\$670	\$3,060
6	\$670	\$3,120
7	\$670	\$3,230
8	\$777	\$3,330
9	\$972	\$3,440
10	\$1,072	\$3,710

According to the report, there are some points to note regarding the chart:

- * "In this schedule, no additional credit is given on residential property for a fire class better than 7. The reason has largely to do with the role that water supply plays in the ratings. Having a better water supply helps in fighting fires in larger commercial structures, and therefore is reflected in a better rating. But for most residential fires a lesser water supply is actually needed, and having more than that available really

¹ Information obtained from the Insurance Services Office website, www.iso-natl.com.

doesn't help the Fire Department fight that particular residential fire any better. There's some variation among insurance companies (e.g., some might allow additional credit for class 6, others might lump classes 7 and 8 together for rating purposes, etc.) but this general pattern is fairly typical for residential premium structures.

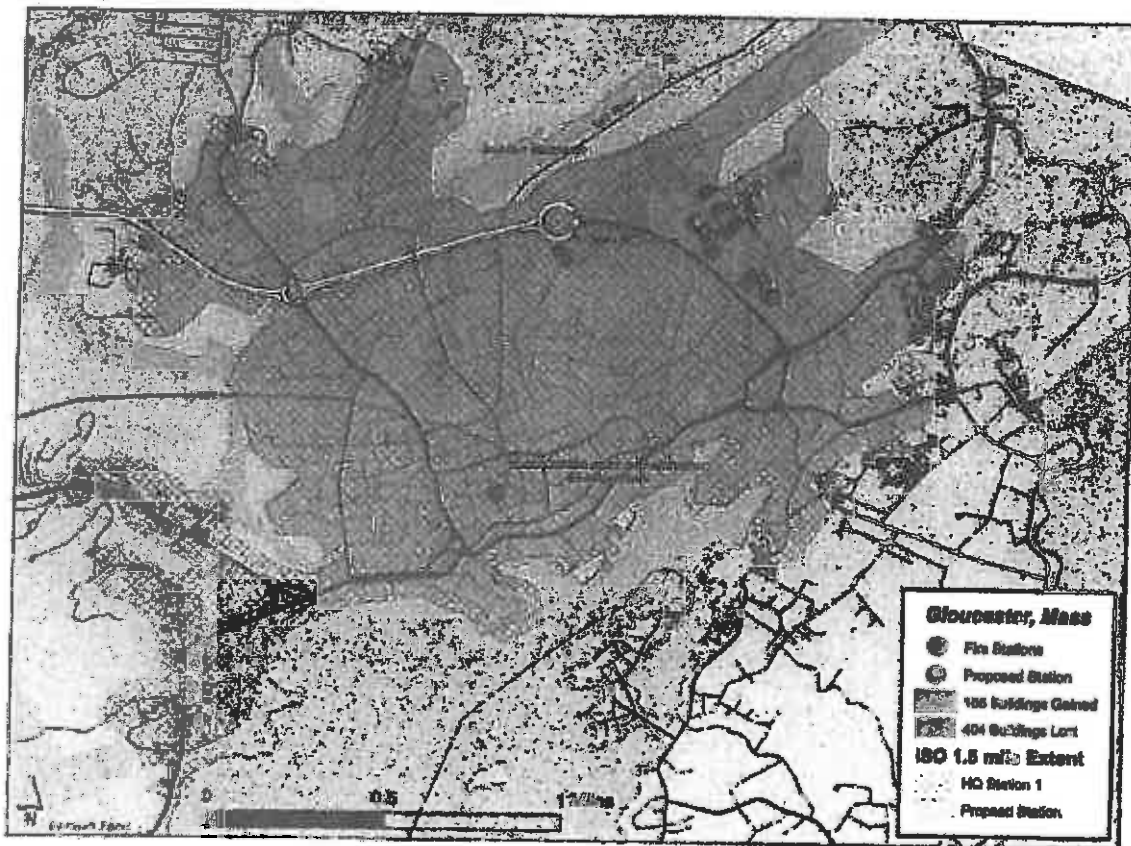
- Not all insurance companies use the ISO classifications. This is especially true for residential coverage. Some companies have their own rating systems based on their own historical loss data for the area rather than on an evaluation of the fire protection in the area. Other insurance companies use their own systems for rating the fire protection for a particular property; a company might classify properties based on the individual property's distance from a fire station and water supply, for example".²

While distribution credits in the PPC™ may not be the most important factor in the decision to relocate facilities, it is acknowledged that this issue does affect the community's rating classification and should be considered. The next few paragraphs of the report examine the travel coverage based upon the PPC credentialing criteria by the Insurance Services Office.

To receive maximum credit in this section, all "built-upon" portions of a community would need to be within 1.5 road miles of an engine company and 2.5 road miles of a ladder or service company. In order to evaluate the relocation of Station #1's engine company across "built upon" areas, the locations of buildings were used.³ The following map shows the difference in the ISO Engine Company evaluation distance between the current and proposed locations. Certain buildings would be outside the optimal 1.5 mile distance if the Engine Company relocates, but others would now be within that distance that were not before. The majority of buildings would be unaffected.

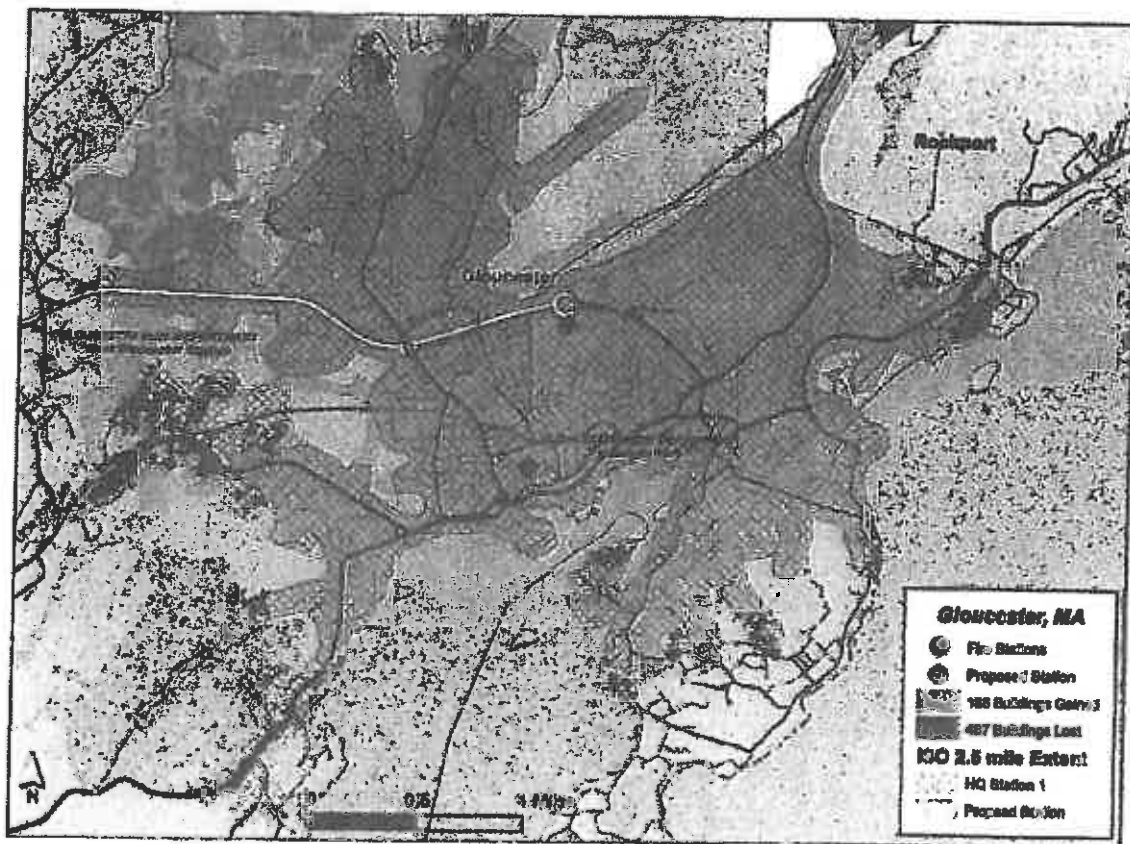
² League of Minnesota Cities, *The ISO Fire Protection Rating System*. www.lmnc.org

³ Geographic Data File Provided by the Town of Gloucester.



It can be determined that a net loss of 238 structures from ISO's optimal engine company distance coverage would be realized if Engine 1 were to be relocated.

In similar fashion, to achieve optimum credit for the number of ladder/truck companies, ISO reviews the response area of each existing ladder company "built-upon" areas. Ladder trucks are useful mostly in situations where a long reach ladder is needed such as a fire or a rescue is required in a multi-storied structure. In addition they are used in fires within buildings that have a large square footage, because like a fire in a multi-storied structure, this apparatus is able to train water over the roofline with the supply from an engine company's pumper. For ISO purposes, the response area is measured at 2.5 miles of travel distance from each ladder company on existing roadways since it should be housed only in areas where these structures are prevalent. Gloucester's Ladder Company is also stationed in fire headquarters.



Clearly, once again the majority of structures are unaffected by the relocation. However, a net loss of 279 buildings from the optimal ladder company ISO distance coverage is realized due to the relocation. What is important is the type of building such as a multi-storied and/or large square footage building. In this regard, the amount of buildings equal to at least three stories or with a square footage of greater than 20,000 were isolated from the resulting data set. Of the amount of buildings outside of the ISO truck distance when Ladder 1 moves to the proposed location, 6.4% of them met the criteria. 3.7% of the buildings newly covered by the proposed location ladder company meet the ISO truck distance coverage criteria. The overall net is a negative 1.5% of the total buildings that meet the criteria and can be reached by either location.

Travel Time Analysis

The National Fire Protection Association (NFPA) has issued a response performance standard for all or mostly career staffed fire departments. This standard, among other things, identifies a target response time performance objective for fire services and a target staffing standard for

structure fires. Though not a legal mandate, NFPA 1710 does provide a useful benchmark against which to measure the upon the station relocation.

NFPA 1710 contains time performance standards for structure fire response as well as emergency medical response. Each will be discussed individually.

NFPA 1710 recommends that the first company arrive at the scene of a structure fire within five minutes and 20 seconds (four minutes of drive time and 80 seconds for turnout time) of dispatch, 90% of the time. The standard establishes that a response "company" consists of four personnel. The standard does not require that all four be on the same vehicle, but does expect that the four will operate as a single functioning unit once on scene. The NFPA 1710 response time standard also requires that all four personnel be on scene within the four minutes after turnout, 90% of the time. Many departments will focus on reducing turnout time to expand the drive time area that can still be met within the 5:20 objective.

There is another reason the arrival of four personnel is critical for structure fires. As mentioned earlier, current safety regulations require that before personnel can enter a building to extinguish a fire at least two personnel must be on scene and assigned to conduct search and rescue in case the fire attack crew becomes trapped. This is referred to as the "two-in, two out" rule. The only exception to this regulation is if it is known that victims trapped are inside the building.

Finally, the NFPA standard calls for the arrival of the entire initial assignment (sufficient apparatus and personnel to effectively combat a fire based on its level of risk) within eight minutes after turnout, 90% of the time. This is to ensure that enough people and equipment arrive soon enough to be effective in controlling a fire before substantial damage occurs.⁴

NFPA 1710 describes the following performance as meeting the structure fire response criteria of the standard:

- *Turnout time within eighty seconds, 90% of the time. Turnout Time is between the alarm and when the apparatus rolls. It is the "reaction time" of the firefighters.*
- *Arrival of the first "company" within five minutes of dispatch, 90% of the time, or*
- *Arrival of the entire initial response assignment (all units assigned to the call) within eight minutes after turnout, 90% of the time. This is referred to in this report as the first alarm assembly and meant to refer to Station 1's collective response of the Engine, the ladder, the rescue ambulance, and the duty chief to the report of a structure fire.*

⁴ See previous discussion about the "time/temperature curve" and the effects of flashover.

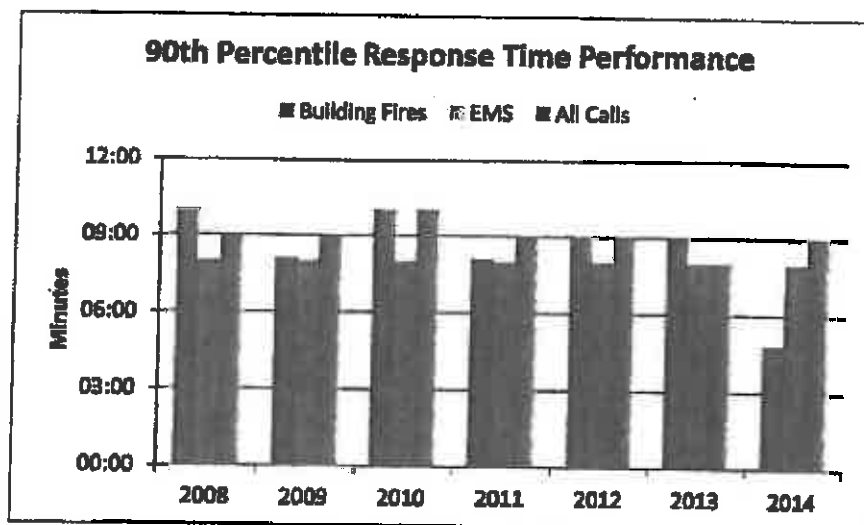
There are three time standards within the NFPA 1710 Standard for emergency medical responses. They are:

- *Turnout time within 80 seconds, 90% of the time*
- *Arrival of a unit with first responder or higher level of capability (basic life support) within four minutes of turnout, 90% of the time*
- *Arrival of an advanced life support unit, where this service is provided by the fire department, within eight minutes of turnout, 90% of the time*

As was mentioned previously, many departments strive to meet the totality of the standard by focusing on shortening turnout or dispatch processing times. Using these response performance objectives by the NFPA, a comparison of building, population, and demand coverage can be accomplished when deciding whether to relocate Station #1.

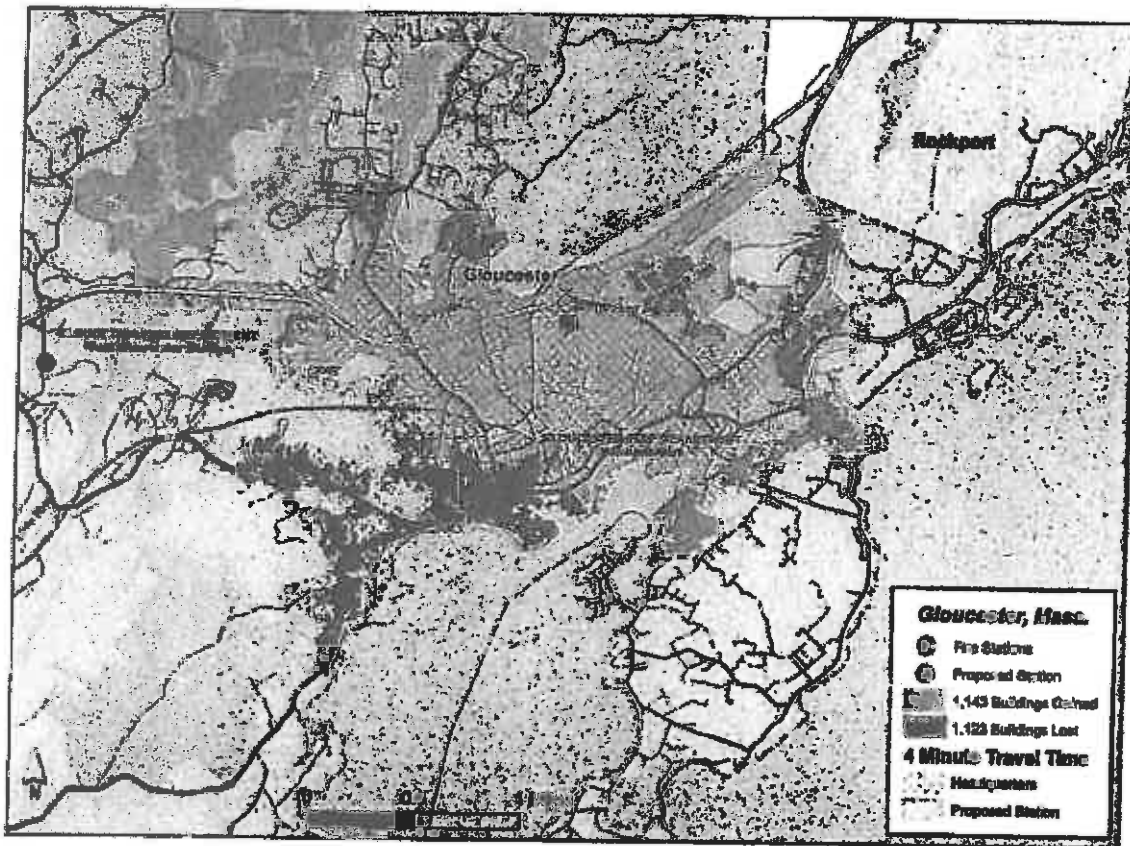
Fractile Performance of Response Time

To assess the current response time of the fire / rescue network in the City of Gloucester, the project team examined the fractile performance of the system as it responded to building fire calls, EMS calls, and all calls. The distribution of these fractiles are shown in the table, below. Note that the system is reaching 90% of its calls in around nine (9) minutes overall with a first arriving unit. This is not unusual in a community such as Gloucester, with its very challenging geography and resulting road network.



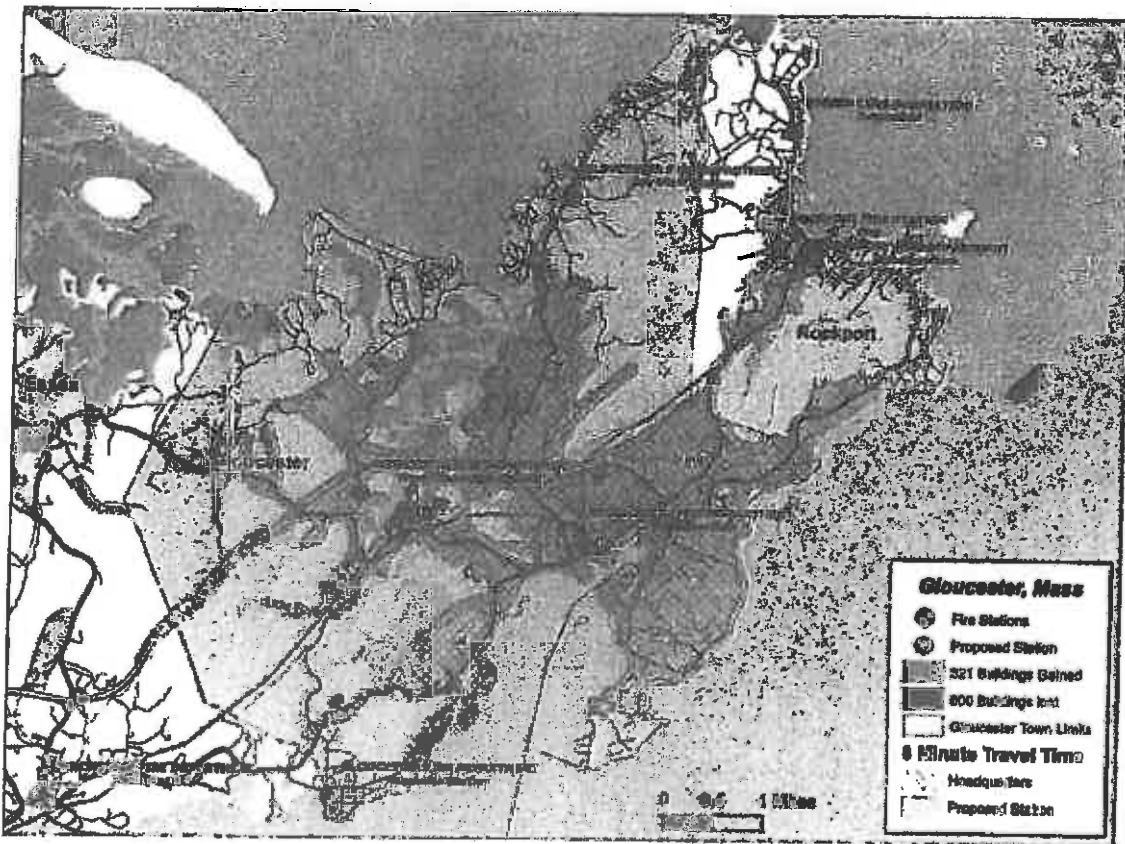
Building Coverage

As discussed previously the amount of building coverage changed based upon the benchmark distance standards. While distance is an objective measure, it does not account for the capability of the apparatus to reach incidents depending upon speed and factoring time delay for negotiating turns and intersections. When assessing the building coverage from each evaluated station location, a four minute travel time was modeled.



There is a net 2.5% loss in the amount of buildings that can be reached within a four minute travel model. This means more addresses are reachable by a first due engine or rescue ambulance within the nationally recommended time parameters.

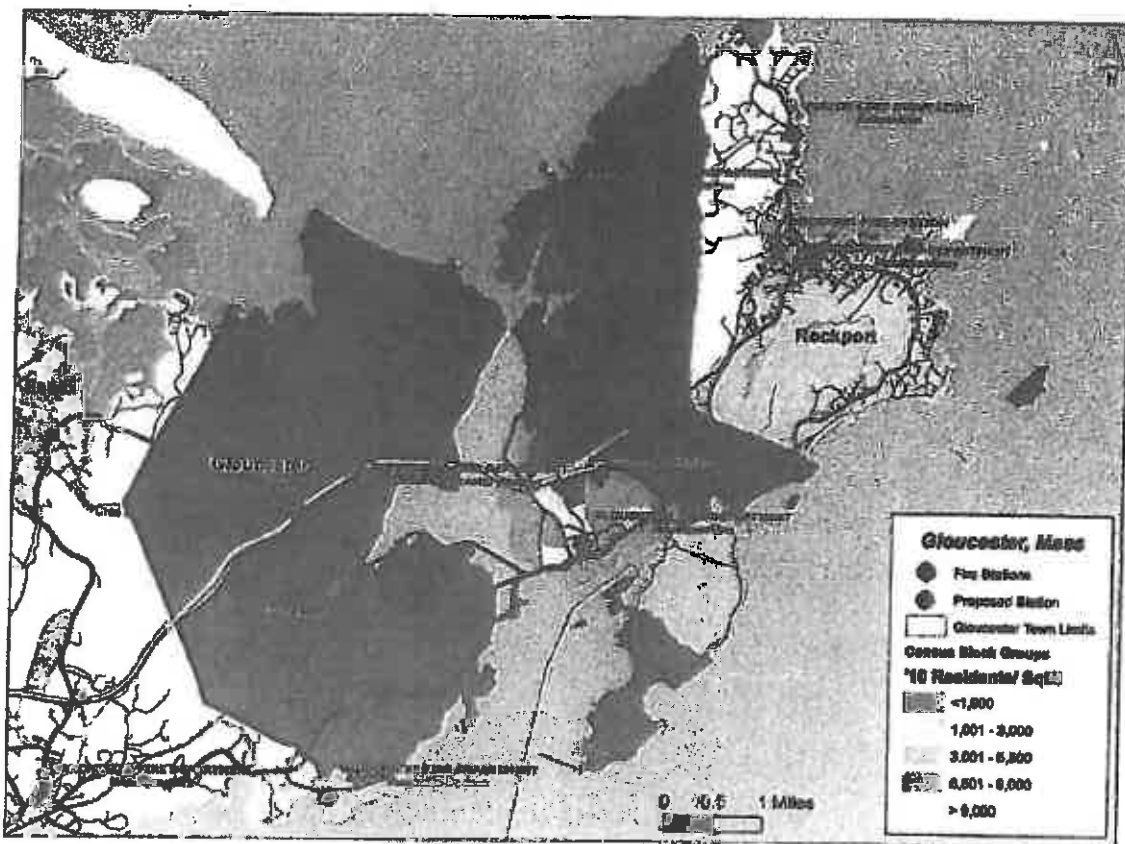
A longer, eight minute travel time is used when evaluating the first alarm geographic extent of building coverage from the compared stations. The following map illustrates that extent and the various building affected by one location versus the other.



A smaller net gain of nearly 2% of buildings can be reached from the proposed station rather than from headquarters. This smaller gain is due to the thinning of developed properties as distance increases from the downtown area within the eight minute travel model.

Population Coverage

Another factor impacted by the relocation of the fire headquarters would be the amount of residential population that would be impacted by the relocation. The following map reveals that the majority of the residential population is in the downtown area where the station relocation evaluation is taking place.



While this does not take into account people passing through on highways, shoppers from elsewhere, and commuters into town for work, it does reflect the residential taxpayer. As a side note, the US Census Bureau estimates that the town's population decreases during the daytime hours due to commuting workers.⁵ The net result of the travel time analysis is that more residents will be within the coverage reach of a first due apparatus as well as the first alarm assembly from the proposed station.

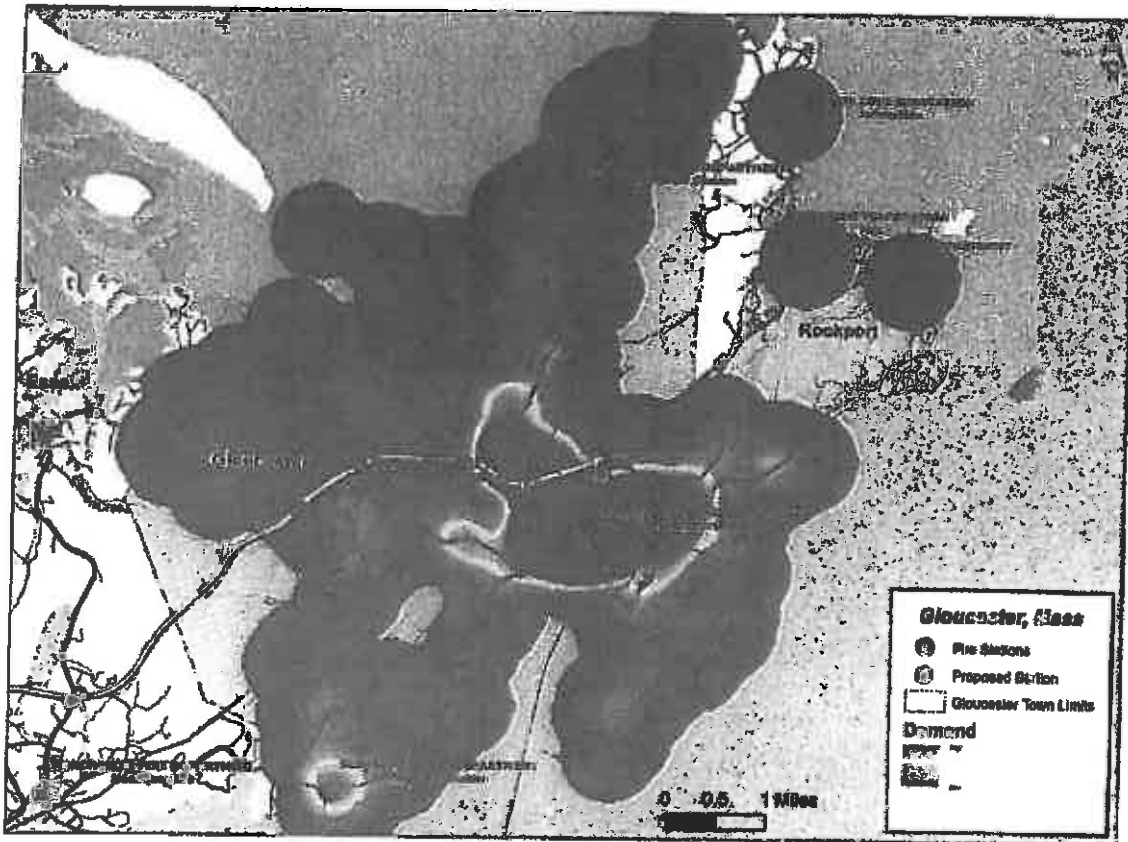
Demand Coverage

With the relocation of the fire station, the amount of demand for services that is received by either the first due apparatus or a full complement of crews from Station 1 will be impacted. To assess the comparables, incidents from 2013⁶ were plotted on the map by address and a relative intensity representation below was developed to account for multiple identical address

⁵ US Census Bureau 5yr ACS '06-'10 Table 3 Commuter-Adjusted Daytime Population Estimates

⁶ National Fire Incident Reporting System (NFIRS) data provided by GFD.

responses that would appear only as a single point otherwise. Examples of these would be apartment houses, shopping centers, and nursing homes.



The highest demand is within the downtown core reflective of population levels, and along the major roadways and in the Magnolia town area. While Station 1 sits in the heart of the highest service demand area, the proposed station is positioned on the edge of it. While there is little effect upon the workload coverage with an eight minute first alarm assembly force, there is a significant difference for the first responding apparatus within four minutes. However, this variance is eliminated at 4.5 minutes (see the table on page 15).

Summary and Recommendation

As already understood, there would be trade-offs anytime a station for emergency services is relocated. Some elements that are of concern will improve while others, equally important, may realize a change in coverage. This report evaluated the effect upon building coverage, population coverage, and demand for services coverage using nationally recommended benchmarks by relocating the downtown Station 1 headquarters to a proposed location about a

half mile north near arterial roadways. Because of this, the travel time model comparables improved coverage for buildings and population, but not so for first responding apparatus. There was no difference for the collective apparatus response to demand with a longer travel time parameter. Regarding the ISO distance results, changes in premiums may result for the affected properties for the better in some cases, and perhaps worsen for others. When taking in account the collective effect by including the outlying stations into the statistical coverage analysis, some improvement in the statistical results can be seen compared to the head to head station relocation analysis. The following table summarizes the results over the categories studied.

	Headquarters Location	Proposed Location	Net	All Current Stations	All Proposed Stations	All Net
Building Coverage						
ISO 1.5 mile	96.8%	92.1%	-4.6%	no change	no change	0.0%
ISO 2.5 mile	97.8%	94.5%	-3.3%	n/a	n/a	0.0%
4 Minute Travel Time	82.6%	80.1%	-2.5%	59.6%	58.4%	-1.2%
8 Minute Travel Time	95.5%	97.6%	2.1%	96.8%	97.3%	0.5%
Population Coverage						
4 Minute Travel Time	89.2%	75.0%	-14.2%	61.0%	53.7%	-7.3%
8 Minute Travel Time	96.6%	97.0%	0.4%	72.1%	72.4%	0.3%
Demand/Premium						
4 Minute Travel Time	91.5%	77.8%	-13.7%	80.1%	70.1%	-10.0%
8 Minute Travel Time	98.0%	98.5%	0.5%	98.4%	99.2%	0.8%

Because the ISO 1.5 mile distance is rather conservative, the stations are further apart and no overlap in this parameter exists, so no net change when including all the stations in the analysis. The ISO 2.5 mile parameter only applies to the ladder apparatus and since no other station houses one, it is not applicable. Travel extent overlap from outlying stations help with the four minute building, population, and demand coverage.

It is also interesting to ask: what happens to the response time performance in the City if the Central Station is moved? The project team calculated fractile performance in the system using the current network (assuming that the closest station was assigned to the call) and the fractile performance from the new proposed location for Central Fire Station at a number of response times, using the modeling capabilities of the GIS system. This comparison, shown in the following table, demonstrates the performance of the system as a whole at each of these response times. Recall, that because emergency response systems are designed on a *community-wide* basis, this does not mean that there would not be changes for individual addresses.

**Impact of Shifting Gloucester Fire Department Headquarters
on Fractile Drive-Time Performance**

Current Station Locations	3,288	71.05%
Proposed Station Locations	2,772	59.90%
Current Station Locations	3,519	76.04%
Proposed Station Locations	3,500	75.63%
Current Station Locations	3,666	79.21%
Proposed Station Locations	3,724	80.47%
Current Station Locations	3,886	83.97%
Proposed Station Locations	3,931	84.94%
Current Station Locations	3,995	86.32%
Proposed Station Locations	4,002	86.47%
Current Station Locations	4,056	87.64%
Proposed Station Locations	4,062	87.77%

While there is noticeable change in drive-time fractile performance at the 4-minute mark, this variance is virtually eliminated at the 4.5-minute response time mark. It is very possible that this 30-second variance could be eliminated in the response time of personnel in the station as they move to their vehicles in the design of any new public safety facility.

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Gloucester, MA 01930



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CITY OF GLOUCESTER
OFFICE OF THE MAYOR

MEMORANDUM

TO: Gloucester City Council
FR: Mayor Carolyn A. Kirk
RE: Options for Fuller RFP
DT: September 15, 2014

Councilors,

The Administration presents this memo to move forward with the disposition of the Fuller property. We have taken the steps necessary to request that the Council accept the School Committee's vote to declare the parcel surplus and therefore vote to authorize the disposition of the parcel.

To review the steps taken to date:

- A. In 2007 the School Committee adopted the Plan for Effective Learning Communities which called for moving the elementary school children from the Fuller School Building. In 2008, the School Committee decided to close the building. Thereafter in January of 2013, the School Committee declared the parcel surplus;
- B. Since that time, the Administration has moved forward to study the feasibility of locating and constructing a public safety facility on the site. The preliminary figures show that it will cost approximately \$40-50 million dollars to construct the public safety building and municipal office building. A response time analysis is being undertaken to determine if the site is a proper location for a public safety facility. Early findings from the response time analysis for moving the FD HQ from current central station to this site show no improvements in response times overall – just trade-offs from one part of the city to others.

The cost estimate of constructing municipal office space alone is approximately \$17.5 million dollars. Using \$47.5million as an estimate for both this and the combined public safety facility, debt service would average about \$4.0 million annually in the first 7 years of the 20 year term. This is based on the current interest rate scenario, and it is expected that rates will begin to slowly trend up beginning about a year from now. To put that \$4.0 million in perspective, the general fund currently supports \$8.0 million of debt service in the current Fiscal Year so this would represent a 50% increase over the current year budget.

As current levels of debt service run off over the next three years, we will be using that capacity to absorb the costs of the West Parish project. In all likelihood, any significant new project is at least ten years out before we can begin to afford it without some type of override.

- C. In addition, we have obtained an existing conditions survey clearly showing the property boundaries.

The administration would like to set out a framework for collaborating with the City Council to take the next steps.

1. First, we ask that the Council accept the School Committee's declaration that the parcel is surplus and that it is no longer needed for school purposes and to authorize the sale of the property under certain terms and conditions.
2. Secondly, we ask that the Council collaborate with the Administration to allow it to submit to Council for its review an RFP for the disposition of the parcel by the Council meeting of October 28, 2014.

In designing the RFP, the Council may establish the terms and conditions of the disposition of the property. *There are two options as to how an RFP may be framed, either a broad RFP which sets out the city's interest as preferences which will be considered in the evaluation process or a narrowly constricted RFP tailored to specifically meet the needs of the city.* This could include subdividing the property prior to the issuance of the RFP. As we have seen through our past experience with broad requests, we will likely garner more responses with a higher price than with a narrow request. With either option the city still has the authority to accept the proposal which aligns with the city's interests.

In terms of a timeline and working backwards in terms of the City Council approval process, we anticipate that a broad RFP which sets out the city's interest as preferences could be released by November 14 with responses due January 1, 2015.

A more narrowly constricted RFP which in all likelihood would require a subdivision of the property and Planning Board approval in addition to City Council approval could be released by February 1, 2015 with responses due by March 1, 2015.

The Administration looks forward to working collaboratively with the City Council on moving forward with the disposition of the Fuller property.

Thank you.



Lane's Cove Historical Association, Inc.

CITY CLERK
GLOUCESTER, MA
14 SEP 23 PM 2:54

C/O BARBARA HARRIS
8 DUNSTON WAY
GLOUCESTER, MA 01930

9/22/2014

Dear Mayor Kirk and members of the Gloucester City Council,

There's good Lane's Cove Fish Shack news to share with you and the members of the City Council.

We have received federal and state approval of a new non-profit organization dedicated to the "preservation of public properties at the Lane's Cove Public Landing." The immediate benefit is an organization, aptly named the Lane's Cove Historical Association, with funds in hand to help maintain the restored Lane's Cove Fish Shack in close cooperation and coordination with City government. The public/private partnership you supported along with Jackie Hardy and the City Council will realize ongoing benefit from the continuity that a dedicated non-profit can provide.

The purpose of the Lane's Cove Historical Association (LCHA) is to raise funds for the maintenance of the Fish Shack and any other Lane's Cove Public Landing property that may be restored over time. Establishing the LCHA as a 501(c)3 non-profit means that all contributions for maintenance are tax deductible and all purchases made to maintain the Shack are free of state tax. Importantly, a board of directors, representative of the community, will ensure that funds are properly stewarded. This cooperative venture will benefit from a director rotation policy that will result in an ongoing flow of fresh ideas from new community members regularly appointed to the board at one-year intervals.

Jackie Hardy, you, and the City Council deserve much credit for establishing the ad hoc Building Committee which successfully restored the Shack. Remaining construction tasks include some external painting and the development, presentation, and implementation of a landscaping plan in keeping with the historic record. As for ongoing maintenance, the LCHA Board has begun to estimate time lines for maintenance of the roof, siding, painting, and so on. The Board of Directors at its organizing meeting affirmed that it will work closely with the Building Committee and the DPW to play a supporting role to those formally charged with the maintenance of this City property.

As we move forward in close communication and cooperation with each other, it would benefit future LCHA fundraising efforts if there were a clear statement of the proposed uses of the Lane's Cove Fish Shack. This matter is beyond the purview of the LCHA and the Building Committee and would require, we believe, community input, your leadership and involvement alongside that of the City Council. We are prepared to raise money, engage volunteer labor, and seek in-kind contributions of construction materials. To do that requires quick and ready reference to the purposes of our fund-raising "friend-raising" activities.

For the moment we will work with the Building Committee to provide funds for completion of painting, to help develop and follow through on funding a landscaping plan and its implementation,

and attend to the housekeeping that is part of putting in place and nourishing a new non-profit organization. Soon – very soon – we must turn attention to ongoing fund-raising activities. We have funds in hand of some \$11,000 to allow for small and modest maintenance needs for a while. Elaborating purpose would help get us to the point where major maintenance needs could be addressed and handled as they occur.

We would be happy to meet with you in person to get your thoughts and receive your counsel.

We have appended to this letter a roster of LCHA directors. They are all covered by Directors and Officers liability insurance paid for by the LCHA. We have also appended an informal director application for your information. We underscore that we are committed to ongoing director rotation to ensure that the maintenance of public properties at the Lane's Cove Public Landing will always benefit from the fresh thinking of committed community residents.

Sincerely,



Russell Hobbs, President



Arnold Shore, Vice President



Barbara Jobe, Treasurer



Damon Cummings, Secretary



Lane's Cove Historical Association, Inc.

C/O BARBARA JONES
8 DOLEY STREET
CLONCESTER, MA 01930

Roster

Directors of the Lane's Cove Historical Association

Directors are the four officers plus:

Christopher Nulty

Peter Parsons

William Stowell

Dr. Philip Goldberg

James Oliver



Lane's Cove Historical Association, Inc.

C/O LANE'S COVE
8 QUINCY STREET
COLONNETTE, MA 01930

Participating in the Work of the Lane's Cove Historical Association

The Lane's Cove Historical Association is dedicated to the preservation of public properties at the Lane's Cove Public Landing. The LCHA raises money for maintenance projects, engages volunteer labor, and seeks in-kind contributions of construction materials.

There are a number of ways to become involved with the work of the Lane's Cove Historical Association.

- You can let us know your interest to be considered for election as a Director.
- You can contribute labor to maintenance projects as they come on-line.
- You can provide gifts of cash or construction materials.

Interest in Becoming a Director

If you have an interest in standing for election as a Director, please send us an informal note that tells us about the following:

- Why you are interested.
- What you would like to do (for example, help with fund-raising, help with outreach to the community about the current and proposed activities of the organization, help with coordination of maintenance projects and their attendant costs).
- A brief description of the skills, interests, and experience you bring (for example, working with non-profit organizations, organizational management, construction/restoration, technical capabilities, accounting training)

We are committed on an ongoing basis to recruiting community residents with the widest range of backgrounds and talents to help keep the LCHA vibrant with new ideas. Please send your note of interest to Arnie Shore at Arnold.Shore@gmail.com

Interest in Contributing Labor

The LCHA will help coordinate community outreach for finding residents with the interest and motivation to contribute their physical labor for the maintenance of Lane's Cove historical property

(for example, the Lane's Cove Fish Shack). All levels of experience are welcome, from those who can help with organizing the work to those who can engage in restorative construction.

Please send a note of interest to Damon Cummings at damonc2@aol.com. In your note, please let him know your availability on Saturdays from about 9:00 AM to 1:00 PM.

Donations

Money donations should be made by checks payable to the Lane's Cove Historical Association. Your cancelled check is your receipt for your tax deductible gift. Send your donation check for the Lane's Cove Historical Association to Barbara Jobe at 8 Duley Street, Gloucester MA

Donations of construction materials should be discussed in advance with the Association's President, Russell Hobbs. You can reach Russell at Hobbsrm@comcast.net

Angela Procaccini

angelaprocaccini@hotmail.com

Telephone: 978-283-0754

26 Rockport Rd.
Gloucester, MA 01930

October 3, 2014

Greg Verga, Chairman, Planning and Development Committee, Gloucester City Council
9 Dale Ave.
Gloucester, MA 01930

CITY CLERK
GLOUCESTER, MA
14 OCT -3 AM 10:42

Dear Chairman Verga:

**RE: Procaccini Open Air Parking Lot @ 2 Long Beach Road, Gloucester MA, Capacity: 23
Gloucester City Council, Certificate of Vote, Certificate Number: 2012-023**

Conditions and restrictions #1 and #14 are contradictory.

Condition/Restriction #1 states:

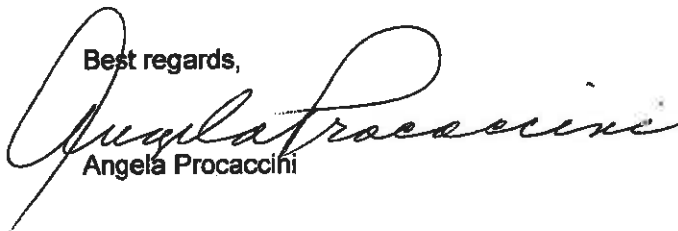
"1. That this License shall be valid from April 30, 2012 to May 1, 2015 upon payment of appropriate fees to the City Clerk;"

Condition/Restriction #14 states:

"14. That the license fee is to be paid yearly to the City Clerk and the application is to be reviewed by the City Council every five years unless there is cause to review sooner due to any violations herein;"

I request a revision of condition/restriction #1 to: That this License shall be valid from April 30, 2012 to May 1, 2017, which would reflect condition/restriction #14 as it stands.

Best regards,



Angela Procaccini

ap/ap

cc: Ward I Councilor Paul McGearry

cc: City Clerk Linda Lowe

Enc: Certificate of Vote, Certificate Number: 2012-023, Procaccini Outdoor Parking Permit 2014



Gloucester City Council
CERTIFICATE OF VOTE
Certificate Number: 2012-023

The Gloucester City Council, at a meeting held on Tuesday, February 14, 2012 at 7:00 p.m. in the Kyrouz Auditorium, City Hall, voted to approve the following:

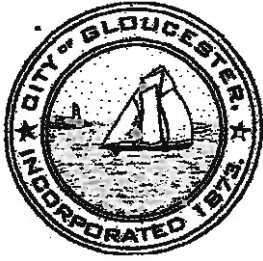
IN CITY COUNCIL:

MOTION: On motion by Councilor Tobey, seconded by Councilor Verga, the City Council voted BY ROLL CALL 9 in favor, 0 opposed to recommend to renew the License for Antonio and Mary Procaccini for an open air parking lot at 2 Long Beach Road, Gloucester, MA with the conditions and restrictions listed as follows:

1. That this License shall be valid from April 30, 2012 to May 1, 2015 upon payment of appropriate fees to the City Clerk;
2. That prior to the issuance of the license by the City Clerk, the applicant shall pay over to Cape Ann Motor Inn the sum of \$100.00 for the maintenance of the Gloucester portion of Long Beach;
3. That the number of cars allowed to park on the lot at any one time is limited to 23.
4. That one space of the 23 spaces allowed is to be designated handicapped parking;
5. That the Fire Chief, for safety purposes, may remove space numbered 23 as shown on the approved plot plan;
6. That the individual parking spaces shall be delineated and be in accordance with the lot plan approved by the Building Inspector dated January 6, 2012 and on file in the City Clerk's office;
7. That the grass in the parking lot be kept short;
8. That an attendant shall be on duty at all times during hours of operation;
9. That the Fire Chief and Building Inspector approve of the parking plan (see Building Inspector memo Dated January 6, 2012);
10. That the applicant obtains and keeps current a favorable restroom inspection from the Board of Health;
11. That a minimum of two (2) rubbish containers be placed on the property and that trash be removed from the lot on a daily basis;
12. That four shrubs shall be placed and maintained on the property abutting Cliff Road;
13. Signage: the following shall be posted on a temporary sign to be erected by the applicant, The size and location of said sign to be agreed with the Building Inspector:
 - a. Fee for parking
 - b. Number of cars allowed by the permit
 - c. Location of restrooms and hours they are open
 - d. Hours of operation
 - e. Beach regulations
14. That the licensee fee is to be paid yearly to the City Clerk and the application is to be reviewed by the City Council every five years unless there is cause to review sooner due to any violations herein;
15. The City of Gloucester's shall not be held liable for any claims incurred by the parking lot operation;
16. That the applicant obtain a certificate of insurance in the aggregate amount of \$1 million naming the City of Gloucester as the Certificate Holder and that the coverage run for the duration of the yearly permit.


Linda T. Lowe, City Clerk

Date: FEB 16 2012



OFFICE OF THE CITY CLERK
9 Dale Avenue • Gloucester, Massachusetts 01930
Office (978) 281-9720 Fax (978) 282-3051

OUTDOOR PARKING PERMIT – 2014

The Office of the City Clerk on behalf of the Gloucester City Council hereby grants a License to expire April 30, 2015 pursuant to Gloucester Code of Ordinances Sec. 22-153 and as amended on December 11, 2012:

Antonio & Mary Procaccini and Angela (Angelina) Procaccini, Trustee

For the location of: **Long Beach**

Basic Fee: \$100.00
For: 23 Cars @ \$10.00 per car = \$230.00

Total Fee Paid: **\$330.00**

Date Permit Granted: April 30, 2014

Linda T. Lowe, City Clerk

SEAL:

Councilor McGeary explained these are for vandal resistant signs. **Council President Hardy** asked if they had indicated which signs were to be replaced, which **Councilor McGeary** responded he didn't recall specific locations being mentioned. **Councilor Ciolino** mentioned as the Council's representative to the Waterways Board, he friendlier stating his hope this trend would continue.

MOTION: On motion by Councilor McGeary, seconded by Councilor Ciolino, the City Council voted BY ROLL CALL 9 in favor, 0 opposed to approve the appropriation of \$2,000 (Two Thousand Dollars) from the Waterways Enterprise Retained Earnings (700000.10.000.35900.0000.00.000.00.000) to the Waterways Enterprise Ordinary Maintenance, Facility Maintenance (700000.10.492.57050.0000.00.000.00.057) for the purpose of purchasing Public Landing Signs.

Ordinances & Administration: January 30, 2012 and February 6, 2012

There were no further matters requiring Council action from either of these meeting.

Planning & Development: February 13, 2012

No matters requiring Council action came forward from this meeting.

Scheduled Public Hearings:

1. **PH2012-007: Renewal of Special License pursuant to MGL c. 48, §56 & GCO Sec. 22-153 re: Antonio Procaccini Outdoor Parking Permit at Long Beach Road**

This public hearing is opened.

Those speaking in favor:

Attorney Kevin Kiely appeared before the Council representing Antonio Procaccini of 9 Seneca Drive, Danvers who was present, with Al Paglia assisting in language translation; in their application for the operation of their open air parking lot at 2 Long Beach Road. He explained this is a long-standing business of over 40 years, run by the Procaccini's on Rockport Road. It is a small lot of 23 spaces, one of which is handicapped accessible. It involves the approval of a license every three years; upon the approval of a license is issued annually with proper payment of required fees. The attorney wished to clarify that in the Planning & Development minutes there is reference to a space number 23; and that there is also a reference to a parking plan that says it was submitted to the Fire Chief and the Building Inspector. The minutes refer to a 2009 plan. In fact, there is a plan that was approved in November 2011 which is referred to as the 2012 plan. That 2012 plan makes a change at the request of the Building Inspector to relocate that space. There are still 23 spaces. The issue that the Building Inspector had has been taken care of. Also, the proponent wished to make sure the Council understood that they are required to post beach regulations and there are also other items that must be posted as well. Instead of one sign, there are two signs. All of the conditions have been taken care of, but not as, perhaps, the minutes may have anticipated.

Those speaking in opposition: None.

Communications: Linda T. Lowe, City Clerk stated there were no communications but noted photographs and a written summary regarding the Procaccini application for the open air lot which were provided to the Council by the applicant prior to the City Council meeting (on file).

Questions:

This public hearing is closed.

MOTION: On motion by Councilor Verga, seconded by Councilor Hardy, the Planning & Development Committee voted 3 in favor, 0 opposed to recommend to the full City Council the renewal of a License for Antonio and Mary Procaccini for an open air parking lot at 2 Long Beach Road, Gloucester, MA with the conditions and restrictions listed as follows:

1. That this License shall be valid from April 30, 2012 to May 1, 2015 upon payment of appropriate yearly fees to the City Clerk;
2. That prior to the issuance of the license by the City Clerk, the applicant shall pay over to Cape Ann Motor Inn the sum of \$100.00 for the maintenance of the Gloucester portion of Long Beach;
3. That the number of cars allowed to park on the lot at any one time is limited to 23.

4. That one space of the 23 spaces allowed is to be designated handicapped parking;
5. That the Fire Chief, for safety purposes, may remove space numbered 23 as shown on the approved plot plan;
6. That the individual parking spaces shall be delineated and be in accordance with the lot plan approved by the Building Inspector dated January 6, 2012 and on file in the City Clerk's office;
7. That the grass in the parking lot be kept short;
8. That an attendant shall be on duty at all times during hours of operation;
9. That the Fire Chief and Building Inspector approve of the parking plan (see Building Inspector memo Dated January 6, 2012);
10. That the applicant obtains and keeps current a favorable restroom inspection from the Board of Health;
11. That a minimum of two (2) rubbish containers be placed on the property and that trash be removed from the lot on a daily basis;
12. That four shrubs shall be placed and maintained on the property abutting Cliff Road;
13. Signage: the following shall be posted on a temporary sign to be erected by the applicant, The size and location of said sign to be agreed with the Building Inspector:
 - a. Fee for parking
 - b. Number of cars allowed by the permit
 - c. Location of restrooms and hours they are open
 - d. Hours of operation
 - e. Beach regulations
14. That the license fee is to be paid yearly to the City Clerk and the application is to be reviewed by the City Council every five years unless there is cause to review sooner due to any violations herein;
15. The City of Gloucester's shall not be held liable for any claims incurred by the parking lot operation;
16. That the applicant obtain a certificate of insurance in the aggregate amount of \$1 million naming the City of Gloucester as the Certificate Holder and that the coverage run for the duration of the yearly permit.

DISCUSSION:

Councilor Whynott expressed in his role as former City Clerk he has worked on these permits for many years and never heard a complaint made about the Procaccini's operation of this lot. Whenever the applicants have been asked to make changes, they do so promptly. He urged his fellow Councilors to support the application. **Councilor Ciolino** stated as a former Ward 1 Councilor and as a resident of Ward 1, he had never received complaints of that operation there. He supported the application and urged his fellow Councilors to vote in favor also. **Councilor Theken** would support the application also. She did walk the area the previous summer to see the conditions in and around the lot. She reported that they are fortunate to have the Procaccini's running this lot; that they follow the conditions of the permit. **Councilor McGeary** commented as the current Ward 1 Councilor he had heard there are no complaints as to the applicant's operation of the lot and would support the application.

MOTION: On motion by Councilor Tobey, seconded by Councilor Verga, the City Council voted BY ROLL CALL 9 in favor, 0 opposed to recommend to renew the License for Antonio and Mary Procaccini for an open air parking lot at 2 Long Beach Road, Gloucester, MA with the conditions and restrictions listed as follows:

1. That this License shall be valid from April 30, 2012 to May 1, 2015 upon payment of appropriate fees to the City Clerk;
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7. That the grass in the parking lot be kept short;
8. That an attendant shall be on duty at all times during hours of operation;
9. That the Fire Chief and Building Inspector approve of the parking plan (see Building Inspector memo

Dated January 6, 2012);

10. That the applicant obtains and keeps current a favorable restroom inspection from the Board of Health;
11. That a minimum of two (2) rubbish containers be placed on the property and that trash be removed from the lot on a daily basis;
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14. That the license fee is to be paid yearly to the City Clerk and the application is to be reviewed by the City Council every five years unless there is cause to review sooner due to any violations herein;
15. The City of Gloucester's shall not be held liable for any claims incurred by the parking lot operation;
16. That the applicant obtain a certificate of insurance in the aggregate amount of \$1 million naming the City of Gloucester as the Certificate Holder and that the coverage run for the duration of the yearly permit.

2. PH2012-006: Memorandum from the Licensing Board recommending fees for Cordials and Liqueurs

This public hearing is opened.

Council President Hardy stated this public hearing is opened and continued at the request of the Chair of the Licensing Board, Michelle Harrison to the Council's next regularly scheduled meeting of February 28, 2012.

This public hearing is continued to February 28, 2012.

For Council Vote:

1. Warrant for Presidential Primary Election March 6, 2012

MOTION: The City Council voted **BY ROLL CALL 9** in favor, **0** opposed to adopt the warrant for the Presidential Primary Election to be held March 6, 2012.

2. CC2012-006 (McGeary) Resolution re: MBTA

Councilor Ciolino expressed his agreement with the MBTA Resolution; but wondered if they add a request for a schedule and action plan for when the railroad bridge closes and how that affects the service to Cape Ann as well. **Councilor McGeary** stated this is a resolution and that a communication to the MBTA should be separate matter. **Council President Hardy** agreed the resolution should stand as is. Should the Councilor wish to put in his own request, the Council would certainly entertain it. **Councilor McGeary** also informed the Council that on Thursday, February 16th at the Malden Government Center in Council Chambers there will be a hearing from 6 p.m. to 8 p.m. where the MBTA will outline their proposed cuts of service. He encouraged anyone interested in this matter should attend.

MOTION: On motion by **Councilor McGeary**, seconded by **Councilor Tobey**, the City Council voted **9** in favor, **0** opposed to adopt the following City Council Resolution with regard to the Massachusetts Bay Transportation Authority's plan under consideration to eliminate commuter rail service to Cape Ann as follows:

Whereas: That despite the understandable need to reduce the deficit of the Massachusetts Bay Transportation Authority, a plan is under consideration by the authority to eliminate commuter rail service on Saturdays and Sundays, and

Whereas: There are more than enough riders to justify the continuation of weekend service, and

5. Staffing:

All event staff is to have cell phones and be easily identified by the public with t-shirts that are distinct. A list of all event staff and their cell phone numbers are to be submitted to the DPW, Police Department and Fire Department.

6. Responsibility of Pursuit Racing LLC:

While City Council approval is needed, the applicant is required to obtain any necessary approvals from the Licensing Board and the Licensing Commission as well. It is the sole responsibility of the Pursuit Racing LLC or their designated representative to ensure that all required documentation is filed with the appropriate City departments by the deadlines imposed by the City Council as indicated.

- C) Renewal of Special Permit pursuant to MGL c. 48, §56 & GCO Sec. 22-153 re: Antonio Procaccini Outdoor Parking Permit at Long Beach Road (Cont'd from 12/07/11)

Attorney Kevin Kiely appeared before the Committee representing Antonio and Angela Procaccini of 9 Seneca Drive, Danvers in their application for the operation of their open air parking lot at 2 Long Beach Road and in operation for over 40 years; a family enterprise for a long time. All the people that manage it are family members. This application has been signed off by both the Fire Chief and Building Inspector especially related to conditions the Council set forth in 2009. All the conditions have been met as certified by the Building Inspector (in a memo dated January 6, 2012, on file) and are acceptable to them both. He and the applicants were present at the inspection conducted by the Building Inspector and Fire Chief who at that time had verbally approved it. There are a number of background documents (on file) that were given previously to the Committee. Mr. Kiely received a late letter from an abutter expressing his approval of the Procaccini's application which he submitted to the Committee and was placed on file. This permit is for a one year period, with review every three years, but asked that it be a bit longer time frame for the review explaining there are expenses involved which would make it helpful to the applicant to do this on a longer time frame and suggested a five year review as an alternative to the Committee. Angela Procaccini stated since 2006 they've been on a 3 year review. After 3 years they present to the City Clerk's office their reapplication and a license is issued. Prior to that time, they were issued yearly licenses by the City Clerk and the Licensing Commission; and they had reviews 10 years apart: the late '70's then ten years, then in 1993, 2006, 2009 and now 2012. Mr. Kiely stated it is not the annual granting, they asked that the reviews be staged every five years or so, absent some objection or concern by a City department or private citizen, which would be cause for review. Councilor Verga asked about precedent of automatic renewal of licenses. Councilor Tobey expressed concern about statutory allowance about the length of the license and is there a cap, which he didn't see in the covering ordinance. Mr. Kiely stated absent a limit in the covering ordinance, it would be ad infinitum. Councilor Hardy added that the license itself does stipulate that it should be reviewed in three years. If there is a change she suggested perhaps they should make a change in the ordinance. She recalled the last few years this was before the Committee and Council, the reason for it was to allow the residents and abutters time to come in and express any issues they had during the three year timeframe. It was for the convenience of the public. Unfortunately, many of those people are away during the winter. Until there is a request to change the ordinance, she felt they should maintain what they have. Councilor Tobey felt they have consensus that the ordinance is silent and that past practice has been a three year review timeframe. Mr. Kiely stated they did notice the abutters. They received no objection. Councilor Hardy stated until they change the ordinance. Councilor Tobey felt they have consensus that the ordinance is silent and that past practice has been a three year review timeframe. Councilor Hardy stated that it is the same for the lot across the street. She noted she has reviewed this for many years and came to know Mrs. Procaccini as she used to live at Long Beach, and does go down yearly to visit the lot to see what is going on; and could fully recommend the approval of this permit, as she had in the past. She appreciated over the years they have worked with the Building Inspector to get the parking lot in order, and with a handicapped spot, and that they have adequate signage. She asked if the applicants agree to continue their \$100 payment to the Long Beach Motor Inn for cleaning up the Gloucester portion. Ms. Procaccini stated they would. Attorney Kiely stated there is a letter from Brad Peirce affirming that [relationship]. Councilor Tobey stated that there is a handicap space requirement of the permit and that the applicant was comfortable with that. Mrs. Procaccini stated the change was enacted 2009. The space is the van accessible portion which is marked off and will be incorporated this spring. Chief Dench added he was comfortable with the parking situation. On inquiry by Councilor Hardy regarding the planted shrubs on the Cliff Road side of the lot, a license condition, Mrs. Procaccini stated that the

shrubs are thriving. The neighbors are pleased with the way things are done. Councilor Hardy thanked the Procaccini's for their cooperation with the lot's neighbors. She reiterated their operation is a good one. They have gone the extra mile for their lot patrons; and she thanked them again.

MOTION: On motion by Councilor Verga, seconded by Councilor Hardy, the Planning & Development Committee voted 3 in favor, 0 opposed to recommend to the full City Council the renewal of a Special Permit for Antonio and Mary Procaccini for an open air parking lot at 2 Long Beach Road, Gloucester, MA with the conditions and restrictions listed as follows:

1. That this Permit shall be valid from April 30, 2012 to May 1, 2015 upon payment of appropriate fees to the City Clerk;
 2. That prior to the issuance of the permit by the City Clerk, the applicant shall pay over to Cape Ann Motor Inn the sum of \$100.00 for the maintenance of the Gloucester portion of Long Beach;
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 - c. Location of restrooms and hours they are open
 - d. Hours of operation
 - e. Beach regulations
 14. That the permit fee is to be paid yearly to the City Clerk and the application is to be reviewed by the City Council every five years unless there is cause to review sooner due to any violations herein;
 15. The City of Gloucester's shall not be held liable for any claims incurred by the parking lot operation;
 16. That the applicant obtain a certificate of insurance in the aggregate amount of \$1 million naming the City of Gloucester as the Certificate Holder and that the coverage run for the duration of the yearly permit;
- AND FURTHER TO ADVERTISE FOR PUBLIC HEARING.**

2. *Fuller School Site Reuse Study*

Councilor Tobey expressed that this was just the first step and to start that evening to talk about what the shared process would look like. He asked where the School Committee was in this process. Mr. Pope, responding in his role as School Committee Chair stated the Mayor has laid out a timeline with an overlap of the Fuller School being declared surplus and moving forward with the MSBA for a new West Parish school. Today they're in receipt of a request of the Mayor to have Fuller School declared surplus. It will be referred out at their next Wednesday's School Committee meeting. At their last School Committee meeting, they referred out a number of items that are relevant – they referred to the program subcommittee an investigation into the reasons that they move out of Fuller in the first place. They did an extensive study called a "Planning/Perfecting Learning Communities" which concluded that small neighborhood schools were more educationally effective than large central schools. They referred this to their B&F Committee for them to revisit that and to reaffirm those findings in a public manner. They also referred to their B&F the assessment of what they actually have at Fuller – the preschool; the school administration, the transportation department, and the playing field is used by the athletic department. In addition, the City uses Fuller for their building maintenance facility. There is a shop there where they house their inventory.

LAW OFFICES OF PORTER AND COAKLEY, LLC CITY CLERK
64 MIDDLE STREET GLOUCESTER, MA
P.O. BOX 1460
GLOUCESTER, MA 01930
(978) 281-0182
FAX: (978) 281-4908

14 OCT -8 PM 1:57

Richard L. Porter
(1982-2004)
Robert J. Coakley
bob@porterandcoakley.com

Melissa F. Powers, Paralegal
melissa@porterandcoakley.com
Lisa A. Ciaramitaro, Legal Assistant
lisa@porterandcoakley.com

Lisa J. Voisine
lisav@porterandcoakley.com

October 6, 2014

Linda T. Lowe, City Clerk
City Hall
9 Dale Avenue
Gloucester, MA 01930

RE: Application in conformance with Section 1.10.1(a)(3) and 3.2.2 (a) for a decrease in the minimum lot area and open space per dwelling unit, 260 Main Street, Assessors' Map 13, Lot 8.

APPLICANT: Fernwood Holdings, LLC

Dear Ms. Lowe:

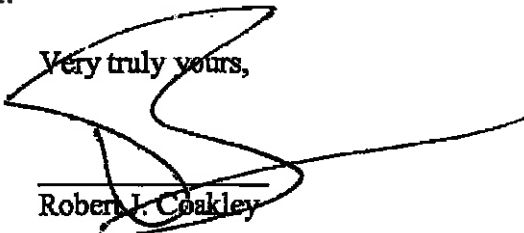
Enclosed please find an original and one (1) copy of each of the following for the above requested City Council Special Permit:

1. Application with sign-offs from the Planning Director and Building Inspector;
2. Color Photograph of the locus;
3. Assessors' Map showing locus with abutting lots;
4. Abutters' list certified by Assessors';
5. City of Gloucester GIS Map showing locus and surrounding parcels;
6. Existing Conditions Plan prepared by American Land Survey Associates, Inc.;
7. Site Plan prepared by Gateway Consultants, Inc.;
8. Floor Plans and Elevations, A1-A3, prepared by Robert I. Mitnik;
9. Copy of Zoning Ordinance Amendment dated September 6, 2005;
10. Copy of approved ZBA Decision;
11. Filing fee of \$350.

A digital submission in pdf format of all of the above Application materials is being sent to you via email. Please schedule this matter at your earliest convenience and contact this office if additional information is required.

Thank you in advance for your cooperation in this matter.

Very truly yours,



Robert J. Coakley

RJC/ljv

Enclosures: As noted

City of Gloucester

Special Council Permit – Application

CITY CLERK
GLOUCESTER, MA

14 OCT -8 PM 1:57

12/12/14
(Public hearing to be held no
later than above date)

In conformance with the requirements of the Zoning Ordinance of the City of Gloucester, the undersigned hereby applies for a Special Council Permit (CC or CCS) in accordance with Section 1.8.3 of the Ordinance and other Sections as listed below:

Type of Permit (Give specific section of Zoning Ordinance) Section 1.10.1(a)(3) and 3.2.2.(a) for a

decrease in the minimum lot area and open space per dwelling unit.

Applicant's Name Fernwood Holdings, LLC

Owner's Name _____
(if different from applicant)

Location 260 Main Street Map # 13 Lot # 8
(Street Address)

Zoning Classification: CB

- Attached is a list of owners (with complete addresses) of land directly opposite on any public or private street or way, direct abutters, and abutters to the abutters of land within three hundred (300) feet of the property line, as they appear on the most recent City of Gloucester Assessor's Maps and Tax list.
- Attached is a listing of criteria set forth in Section 1.8.3 of the Zoning Ordinance, including any supportive material or comments the applicant may wish to include (i.e., ZBA decisions, Order of Conditions, etc.) if necessary.
- Attached are the necessary plans as set forth in Section of 1.5.3 of the Zoning Ordinance, which at a minimum consist of an accurate plot plan (to scale) showing existing and/or proposed building or structures.

City of Gloucester – Action

Fee: \$350.00

City Clerk (received): JMS. 10/16/14
City Council (received): 10/14/14
Public Hearing (ordered): _____
Public Hearing (opened): _____
Public Hearing (closed): _____
Final Decision: _____
Disposition: _____
(Approved, Denied, Approved w/conditions)

Applicant:

Name (Signature) Robert J. Coakley, Esq.
for Fernwood Holdings, LLC

C/O 64 Middle Street, Gloucester, MA

Address
978-281-0182
Telephone

Certified for completeness

Building Inspector: [Signature] Date: 10/8/14

Planning Director: [Signature] Date: 10/8/14

City Council Permit – Application

Section 1.8.3 – (Use additional sheets, if necessary)

1. Social, Economic, or Community needs served by the proposal:

The proposed new structure will consist of a retail unit on the first floor with ground level parking spaces, as well as two small duplex apartments on the upper levels. The use is consistent with the surrounding neighborhood.

The Zoning Board of Appeals has granted the necessary Special Permits and Dimensional zoning relief for this proposal.

2. Traffic flow and safety:

The proposed use is 100% compliant in terms of parking. There is ground level parking in the building. There is a Lease in effect with the Gloucester Housing Authority for parking in the vacant lot next door at 256 Main Street (Map 13, Lot 9).

3. Adequacy of utilities and other public services:

The Applicant has provided for drainage which will comply with the City's Drainage Ordinance. Extensive work has been done with the DPW, Engineering and the City's Contractors to be able to tie into the City's lines for drainage and utility purposes.

The DPW Director has approved replacing one large curb cut with two smaller ones.

4. Neighborhood character and social structure:

The proposed mixed retail and residential use is consistent with the uses in the surrounding neighborhood and with the Zoning Ordinance Amendment in 2005.

5. Qualities of the natural environment:

There will be no impact on the natural environment by virtue of this conversion.

6. Potential fiscal impact:

The proposal will add two (2) additional apartment units to a new retail use. The addition of these two small units will not adversely impact the schools or public safety; they will provide additional tax revenue to the City and will significantly help the downtown.

APPLICATION FOR SPECIAL PERMIT

The undersigned applicant hereby applies for a special permit under M.G.L., Ch. 40A, § 9 as follows:

1. Applicant (includes equitable owner or purchaser on a purchase and sales agreement):

Name: Fernwood Holdings, LLC

Address: c/o Robert J. Coakley, Esq., Law Offices of Porter and Coakley, LLC,

64 Middle Street, Gloucester, MA 01930

Tel. #: Days 978-281-0182 Evenings _____

_____ Check here if you are the purchaser on a purchase and sales agreement.

2. Owner, if other than applicant:

Name: _____

Address: _____

Tel. #: Days _____ Evenings _____

3. Property:

Street Address: 260 Main Street, Gloucester, MA

Assessor's map: 13 Lot: 8

Registry of deeds where deed, plan, or both recorded:

Essex South District Registry of Deeds

Deed recording: Book 32241 Page 444

Plan recording: Plan # _____

Property is located in the CB zoning district

4. Nature of relief requested: Special Permits pursuant to Sections 1.5.3; 1.8.3; 1.10.1(a)(3) and 3.2.2(a) of the Zoning Ordinance/By-law which authorize the City Council to allow a decrease in the lot area and open space per dwelling unit.

Detailed explanation of request: Applicant proposes to tear down the Cape Ann Animal Shelter and construct a new building comprised of a retail unit on the first floor and two small duplex apartment units on the upper floors with ground level parking at 260 Main Street. Applicant proposes a lot area per dwelling of 1,569.5 s.f. which requires a reduction of 930.5 s.f. per unit from the required 2,500 square feet and 412 s.f. of open space per dwelling unit which requires a reduction of 838 s.f. per unit from the required 1,250 square feet. The Zoning Board of Appeals granted zoning relief to allow the Applicant to apply to the City Council on August 28, 2014. The Applicant believes the proposed building will be consistent with the surrounding neighborhood and will pose no detriment to the neighborhood and the community.

5. Evidence to support grant of special permit: Because of reasons set forth below, the special permit requested will be in harmony with the intent and purpose of the Zoning Ordinance/By-law:

The Applicant believes the mixed retail and residential use serves the social and community needs of the downtown area and is consistent with the City Council's Zoning Ordinance Amendment of 2005; the inclusion of in building parking will contribute to traffic flow and safety in the area; there will be no additional demands on utilities or other public services; the proposal is consistent with the surrounding neighborhood; there is no negative impact on the natural environment; and the proposal will add two small apartment units which will provide additional tax revenue to the City.

Because of the reasons set forth below, the special permit requested will meet the additional requirements of zoning Ordinance/By-Law as follows:

The Applicant received necessary zoning relief from the Zoning Board of Appeals in order to apply to the City Council for Special Permits pursuant to Section 1.5.3; 1.8.3; 1.10.1(a)(3); and 3.2.2(a) of the Zoning Ordinance. It is the Applicants' belief that the proposed building, which is located in the Central Business (CB) District, will be consistent with the surrounding neighborhood and will pose no detriment to the neighborhood or the community. Applicant also believes the lesser lot area and open space are in keeping with neighborhood character and structural density.

If someone other than owner or equitable owner (purchaser on a purchase and sales agreement) is the applicant or will represent the Applicant, owner or equitable owner must designate such representative below.

Name of Representative: Robert J. Coakley, Esq.

Address of Representative: 64 Middle Street, Gloucester

Tel. #: Days 978-281-0182 Evenings _____

Relationship of representative to owner or equitable owner:

Attorney


I hereby authorize Robert J. Coakley, Esq., Law Offices of Porter and Coakley, LLC
to represent my interests before the Special Permit Granting Authority with respect to
this Special Permit Application.

✱

(Signed by owner/equitable owner)

I hereby certify under the pains and penalties of perjury that the information
contained in this application is true and complete.

✱


Signature of Applicant
Anthony Taliadoros, Manager
Fernwood Holdings, LLC

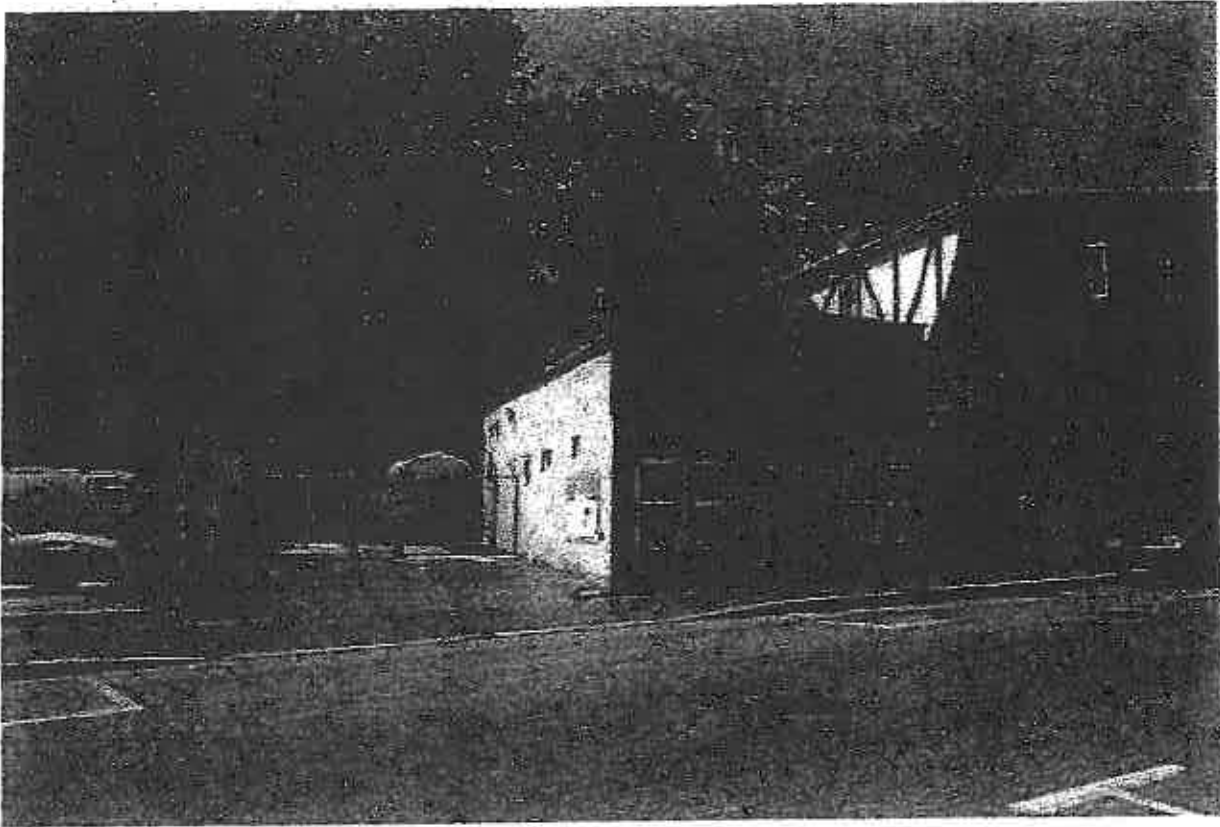
October 6, 2014
Date:

Signature of Owner if other than
Applicant

Date

Signature of Equitable Owner who is
filing Application to satisfy
condition of Purchase and Sales agreement

Date





City of Gloucester Abutters Report

Abutters to Parcel: Map-Lot-Unit 13-8

Please be aware that the abutters list reflects mailing address for the real estate tax bills as requested by the property owners. Mortgage companies, banks and other financial institutions may be receiving the notification and not the homeowner as required. Please be sure you are complying with notification requirements.

Gloucester Board of Assessors

This list of owners of record as shown on the most recent tax list of the City of Gloucester has been prepared for the purposes of notifying abutters as required by the City's Zoning Board of Appeals or City Council and it reflects the abutters to the Parcel known as Map 13 Lot 8 as further shown on the attached map dated 7/30/2014.

ABUTTER	STREET ADDRESS	PARCEL NO.	TAX BILL ADDRESS
13-72 PIERCE MICHAEL A & DAVID W TR THE PIERCE FAMILY TRUST	11 PROSPECT SQ	13-72	PIERCE MICHAEL A & DAVID W TR THE PIERCE FAMILY TRUST 24 HAMMOND ST GLOUCESTER, MA 01930
13-73 FEENEY DENNIS M	15 PROSPECT SQ	13-73	FEENEY DENNIS M 15 PROSPECT SQ GLOUCESTER, MA 01930
13-67 GLOUCESTER HOUSING AUTHORITY	99 PROSPECT ST	13-67	GLOUCESTER HOUSING AUTHORITY 99 PROSPECT ST GLOUCESTER, MA 01930 0000
13-12 HALLETT BARRY J JR TR C/O SUPER SYMMETRY LLC	242 MAIN ST	13-12	HALLETT BARRY J JR TR C/O SUPER SYMMETRY LLC PO BOX 1481 MANCHESTER, MA 01944
13-93 NELSON JAMES H JR	248 MAIN ST	13-93	NELSON JAMES H JR 248 MAIN ST GLOUCESTER, MA 01930
13-9 GLOUCESTER HOUSING AUTHORITY	256 MAIN ST	13-9	GLOUCESTER HOUSING AUTHORITY 99 PROSPECT ST GLOUCESTER, MA 01930
13-8 FERNWOOD HOLDINGS LLC	260 MAIN ST	13-8	FERNWOOD HOLDINGS LLC 209 ESSEX AV GLOUCESTER, MA 01930
13-7 CAPE ANN LODGE NO 1471 INC LOYAL ORDER OF MOOSE	262 MAIN ST	13-7	CAPE ANN LODGE NO 1471 INC LOYAL ORDER OF MOOSE 262 MAIN ST GLOUCESTER, MA 01930
13-5 VUTCHARANGKUL SURAPORN TR C/O ARNEE TRUST	272 MAIN ST	13-5	VUTCHARANGKUL SURAPORN TR C/O ARNEE TRUST 272 MAIN ST GLOUCESTER, MA 01930
10-3 GORTONS INC	128 ROGERS ST	10-3	GORTONS INC 128 ROGERS ST GLOUCESTER, MA 01930



City of Gloucester Abutters Report

Abutters to Parcel: Map-Lot-Unit 13-8

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Gloucester Board of Assessors.

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ABUTTER	STREET ADDRESS	PARCEL NO.	TAX BILL ADDRESS
13-59 CIOLINO ROSA C/O CIOLINO ROSA	17 CHESTNUT ST	13-59	CIOLINO ROSA C/O CIOLINO ROSA 17 CHESTNUT ST GLOUCESTER, MA 01930-3701
13-60 NICASTRO SALVATORE	19 CHESTNUT ST	13-60	NICASTRO SALVATORE 19 CHESTNUT ST GLOUCESTER, MA 01930
13-61 GOULART MICHAEL A & PATRICIA F	21 CHESTNUT ST	13-61	GOULART MICHAEL A & PATRICIA F 21 CHESTNUT ST GLOUCESTER, MA 01930
13-62 SEARS MARY A	23 CHESTNUT ST	13-62	SEARS MARY A 23 CHESTNUT ST GLOUCESTER, MA 01930
13-63 CIARAMITARO SAMUEL S	25 CHESTNUT ST	13-63	CIARAMITARO SAMUEL S 25 CHESTNUT ST GLOUCESTER, MA 01930

I hereby certify that the above identifies the assessed owner of record and the mailing information for the parcel listed, as shown on the most recent tax list of the City of Gloucester Massachusetts.

Signed,

Madonna Ferraro

Name:

Principal Clerk

Title:

Date:

7/31/14

Authorized Representative of the City of Gloucester Assessors' Office, City Hall, 9 Dale Avenue, Gloucester, MA 01930



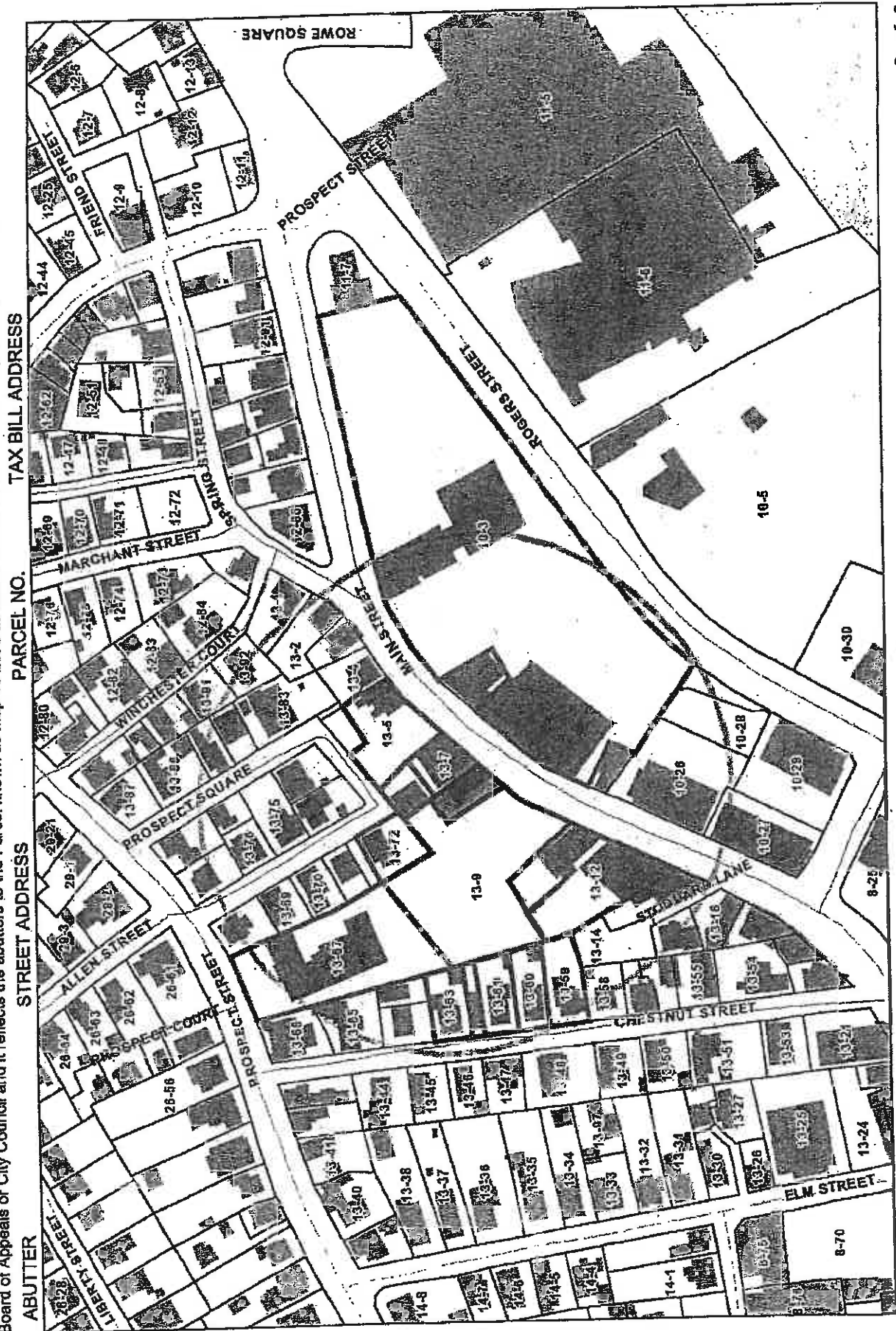
City of Gloucester Abutters Report

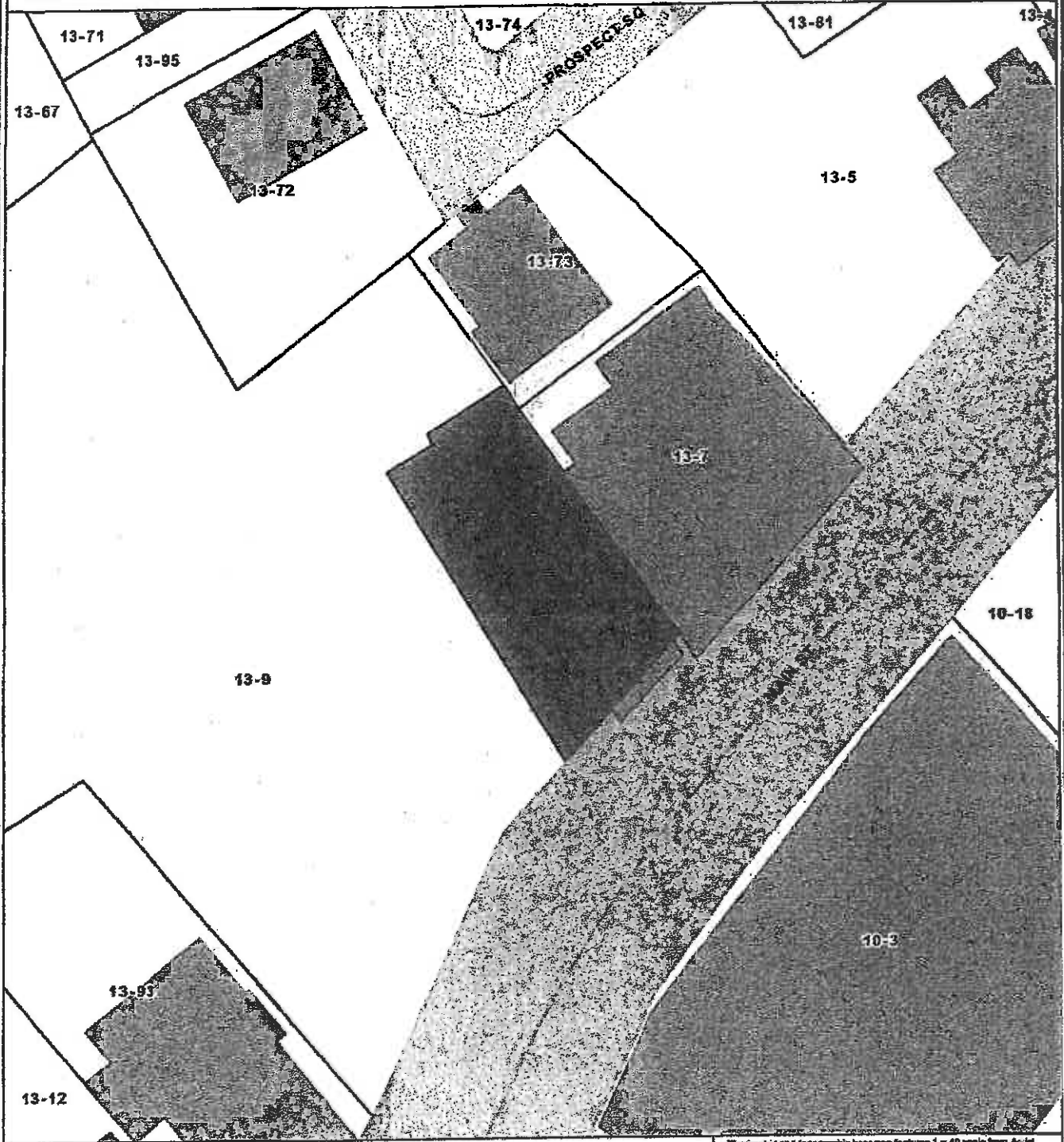
Abutters to Parcel: Map-Lot-Unit 13-8

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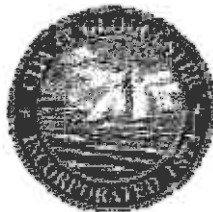
Gloucester Board of Assessors.





- Interest P**
- Athletic
 - Beach
 - ▲ Cemetery
 - ▲ Church
 - ▼ Federal Government Facility
 - Fire Station
 - ▲ Historic Site
 - Medical
 - Library
 - ▲ Municipal/State Government
 - Multi-Flight Landing Zones
 - Park & Ride Lot
 - Police Station
 - Recreation site
 - ▲ School
 - State Parks, Forests, & Recreation
 - Building Footprint

- Transportation**
- Street/Centerline
 - Water Bodies
 - Wet Pond, Lake, Ocean
 - Reservoir
 - Wetland
 - Submerged Wetland
 - Cranberry Bog
 - Tidal Flats
 - Inundated Area
 - Permits



1" = 36 ft

Planimetric and topographic base map features 1" = 40 scale from Aerial Photography March 2011. The information depicted on this map is for planning purposes only. The City of Gloucester makes no warranties, expressed or implied, concerning the accuracy, completeness, reliability, or suitability of these data. The City of Gloucester does not assume any liability associated with the use or misuse of this information.

American Land Survey Assoc., Inc.

42 CHERRY STREET

GLOUCESTER, MA 01930

978-281-7878

NOTES:

ADDRESS : 260 MAIN STREET
GLOUCESTER, MA

OWNER : CAPE ANN ANIMAL AID
ASSOCIATION, INC.

ASSESSORS MAP 13 LOT 8

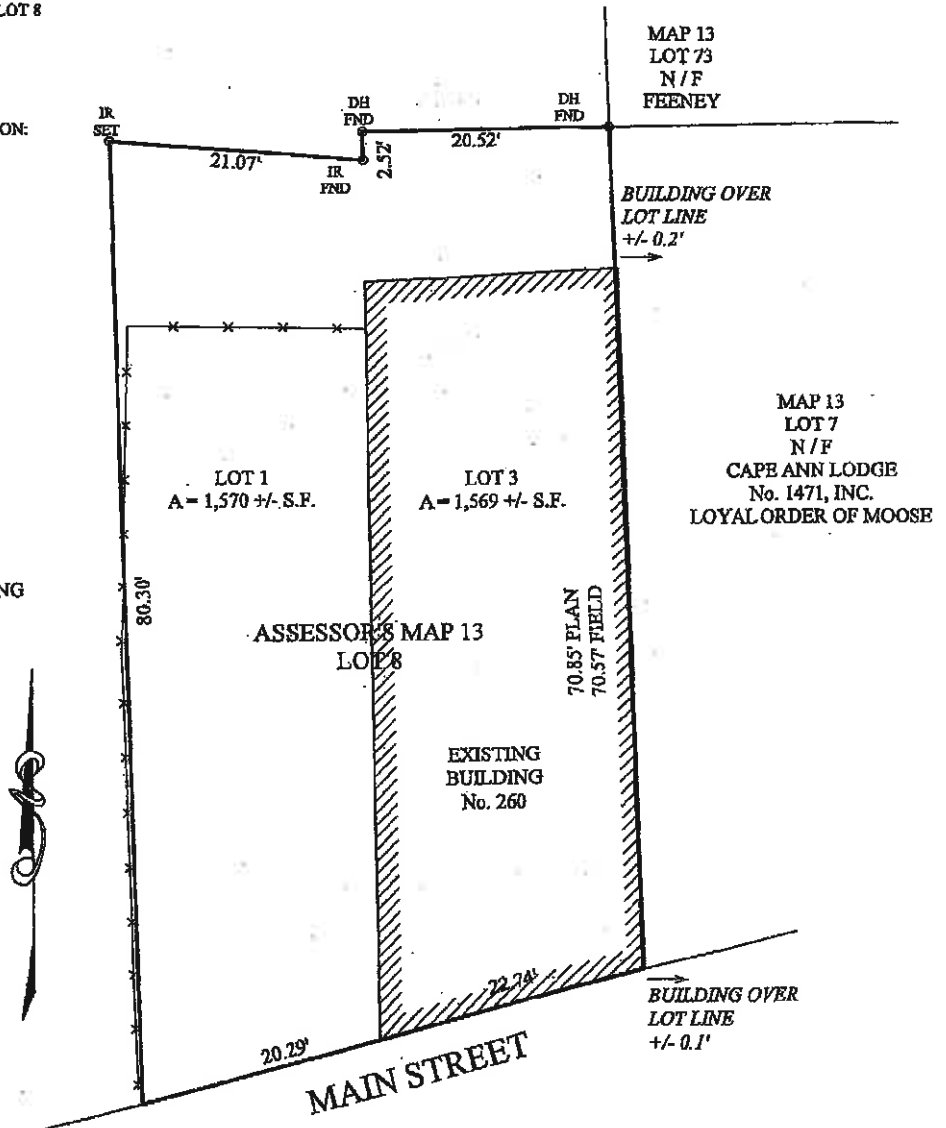
ZONE : CB

DEED REFERENCE : BOOK 6005 PAGE 35
BOOK 6179 PAGE 401
BOOK 9883 PAGE 132

PLAN REFERENCE : BOOK 249 PLAN 18
BOOK 2514 PAGE 455
PLAN 273 OF 1979

FLOOD CERTIFICATION:
ZONE "X"
COMMUNITY 250082
PANEL 456F
DATED JULY 3, 2012

N / F
GLOUCESTER HOUSING
AUTHORITY



I HEREBY CERTIFY THAT THIS PLAN IS BASED ON THE REFERENCED PLANS, DEEDS, AND THE RESULTS OF A FIELD SURVEY AS OF THIS DATE. NO CERTIFICATION IS INTENDED AS TO PROPERTY TITLE OR AS TO THE EXISTENCE OF UNWRITTEN OR UNRECORDED EASEMENTS. THE BUILDINGS AND POINTS SHOWN HEREON ARE LOCATED AS FOUND OR SET.

KIRK W. BENSON, PRESIDENT, PLS # 40036

PHOTO REPRODUCTION OF THE PROFESSIONAL SEAL IS INDICATIVE OF UNAUTHORIZED REPRODUCTION OF THIS PLAN AND IS TO BE CONSIDERED A COPYRIGHT INFRINGEMENT AND / OR FRAUD. ENFORCEMENT AUTHORITY SHALL NOT ACCEPT PHOTO REPRODUCTION FOR ANY PURPOSE. THIS PLAN IS FOR ORIGINAL OWNER'S PURPOSE AND IS NOT TO BE SOLD OR TRANSFERRED TO ANY NEW OWNER OR THIRD PARTY.

PLOT PLAN OF LAND

Located In

GLOUCESTER, MA

Prepared By

American Land Survey Associates, Inc.

Kirk W. Benson, President, PLS

42 Cherry Street Gloucester, MA 01930

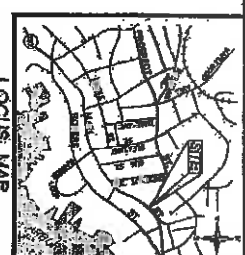
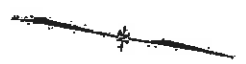
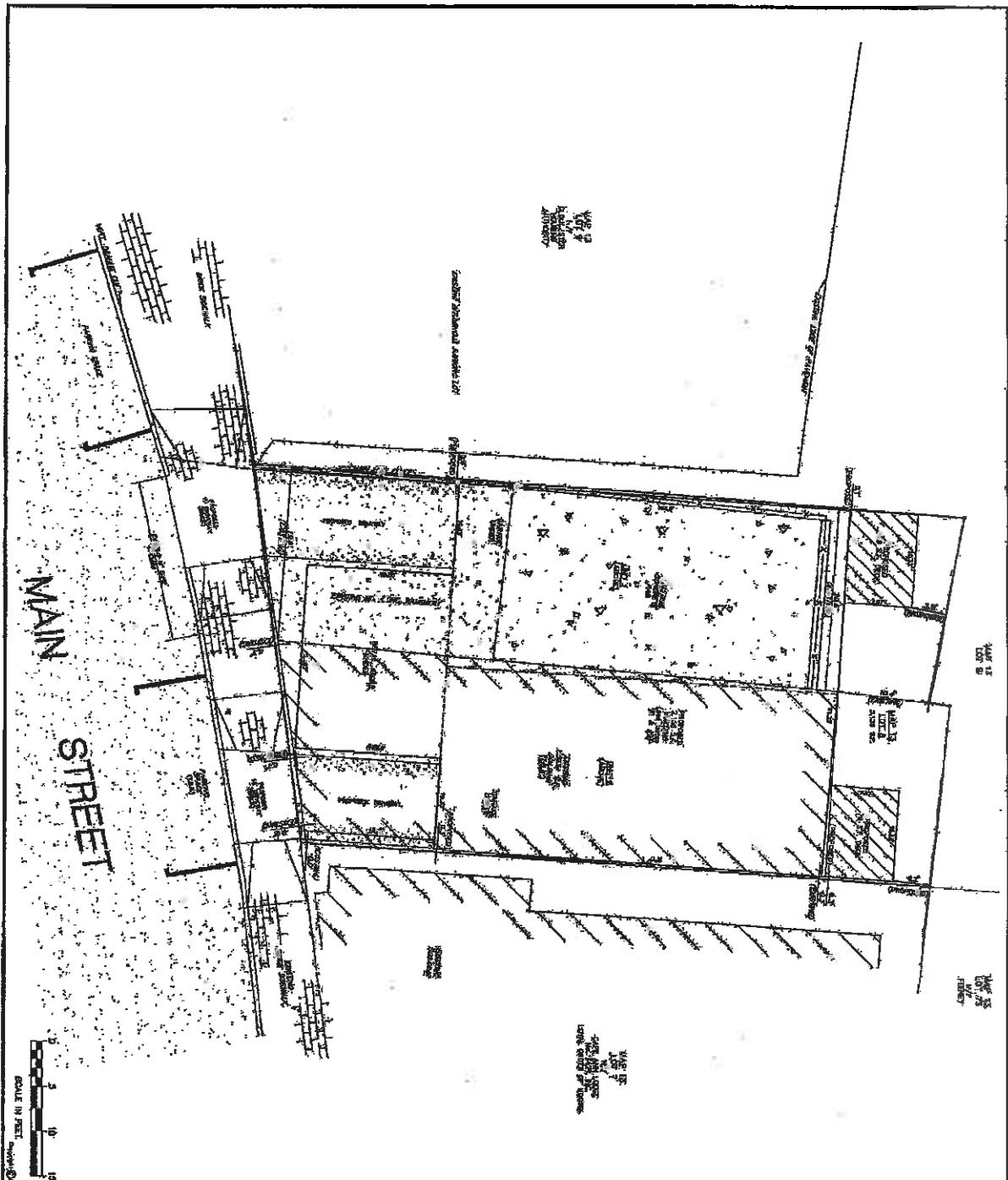
978-281-7878

SCALE 1" = 10' JANUARY 26, 2013

Prepared For

TOM TALIADOROS

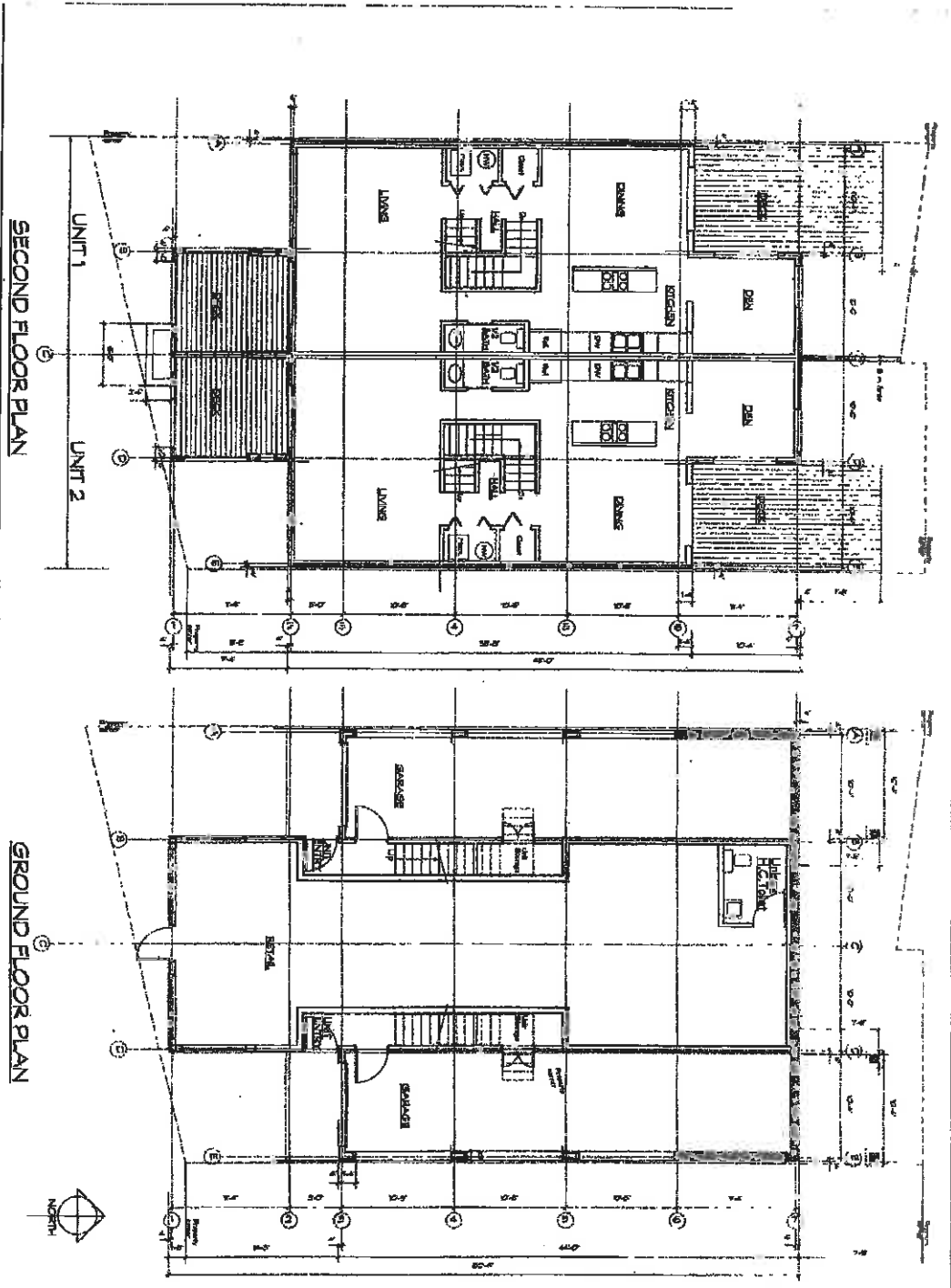
J-1424



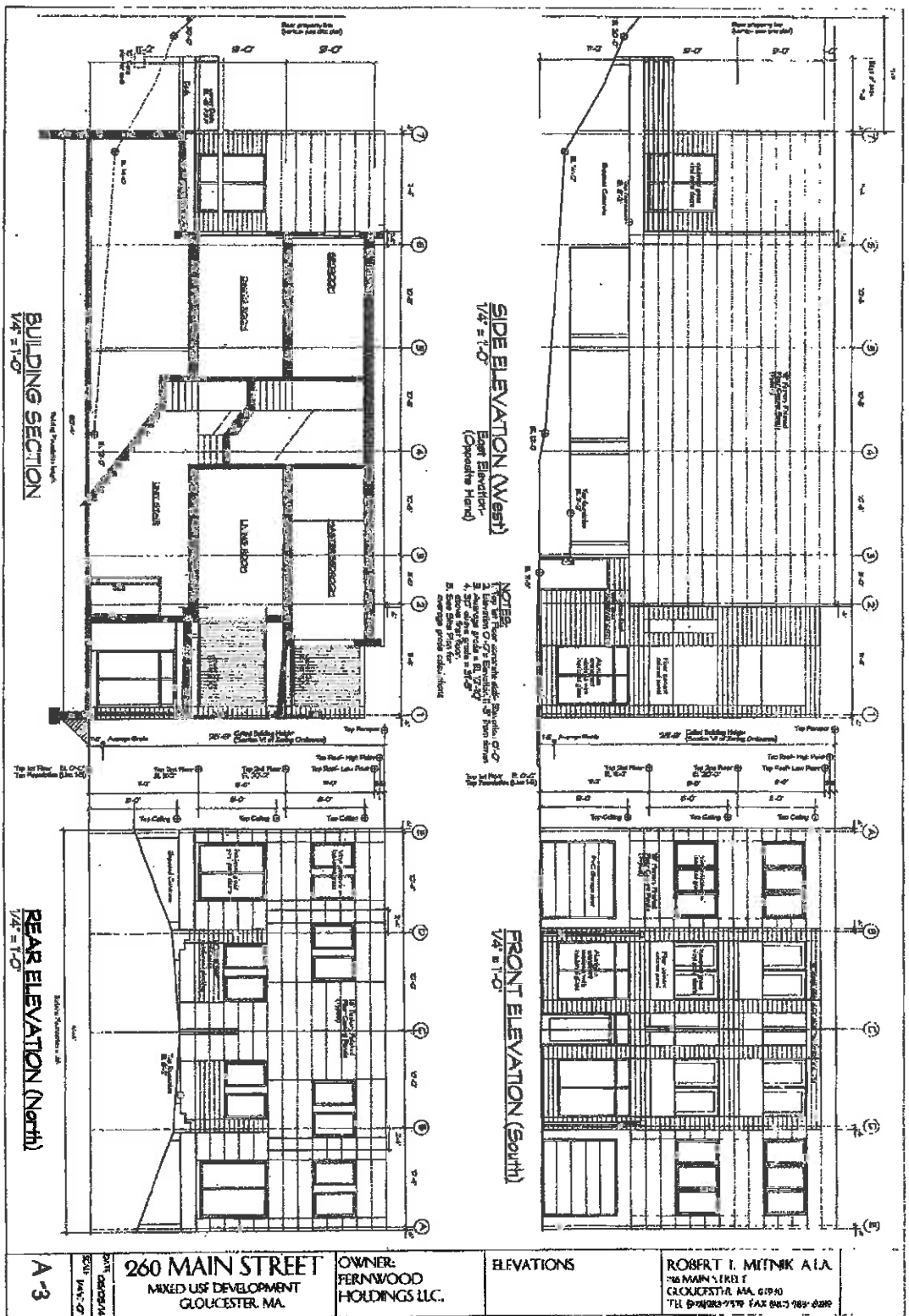
ZONING
THE CITY IS LOCATED WITHIN THE (C-1) COMMERCIAL, INDUSTRIAL, ZONING DISTRICT.

'LOT' COVERAGE
Arlinda Hilland Footprint Area 13076 sq. ft. (see coverage)
Pharosport Building & Deck Footprint Area 23978 sq. ft. (see coverage)
Wet Area = 2109 sq. ft.

[illegible][illegible]



A-1	260 MAIN STREET MIXED USE DEVELOPMENT GLOUCESTER, MA.	OWNER: FERNWOOD HOLDINGS LLC.	FLOOR PLANS	ROBERT I MITNIK AIA 86 MAIN STREET GLOUCESTER, MA. 01940 TEL. 978/289-7379 FAX 978/289-6289	
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A-3

2011 DECISION
2011 DECISION
2011 DECISION

260 MAIN STREET
MIXED USE DEVELOPMENT
GLOUCESTER, MA.

OWNER:
FERNWOOD
HOLDINGS LLC.

ELEVATIONS

ROBERT I. MITNIK AIA
260 MAIN STREET
GLOUCESTER, MA. 01940
TEL: (978) 683-7570 FAX: (978) 683-6880

CITY OF GLOUCESTER

In the Year 2005

AN ORDINANCE RELATING TO ZONING

BE IT ORDAINED in accordance with the provisions of Chapter 40-A, Section 5, MGL, and Section 1.5 of the Gloucester Zoning Ordinance, that the City Council of the City of Gloucester at a public hearing held on Tuesday, September 6, 2005 voted by ROLL CALL (9) in favor, (0) opposed, on the following plan:

THAT THE GLOUCESTER ZONING ORDINANCE, SECTION 2.3.1 RESIDENTIAL USES, #4 ISSUED JUNE 2005, WITH INCORPORATED AMENDMENTS TO THAT DATE BE AMENDED AS FOLLOWS:
Multi-family or apartment dwelling, by changing up to three (3) dwelling units by right in the Central Business (CB) district and up to two (2) dwelling units by right in Village Business (VB) district with the following requirements as footnotes at the bottom of the table (3) Retail or other business/commercial use allowed by right shall be retained at street level.
(4) Must meet existing parking ordinance for all uses and the exterior of the existing building shall not be expanded without a ZBA Special Permit (SP). (5) Only two (2) dwelling units are permitted by right in the VB zoning district.

This zoning amendment shall become effective immediately upon ordainment.

IN CITY COUNCIL
VOTED TO ADOPT

September 6, 2005

Robert D. Whynott

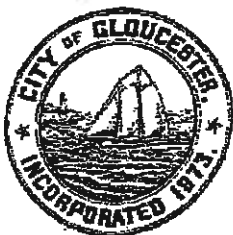
Robert D. Whynott, City Clerk

APPROVAL OF THE MAYOR

John P. Bell
John P. Bell, Mayor

VETOED BY THE MAYOR

John P. Bell
John P. Bell, Mayor



CITY OF GLOUCESTER
GLOUCESTER, MASSACHUSETTS

14 SEP 26 AM 10:14
CITY CLERK
GLOUCESTER, MA

ZONING BOARD OF APPEALS

August 28, 2014

Petitioner: Fernwood Holdings, LLC

Property Address: 260 Main Street, Assessors' Map 13, Lot 8

Zoning Classification: CB (Central Business)

Title Reference: Essex South Registry of Deeds, Book 32241, Page 444

Seeking the following forms of relief:

A Special Permit to alter/expand a nonconforming structure and Variances for front, side and rear yard setbacks, lot width and lot frontage to enable petitioner to demolish the existing building and rebuild a new structure containing retail on the first floor and two(2) residential units on the upper floors at 260 Main Street.

The Board finds that proper notice was given by mail and advertising. The hearing was opened on the date and place as posted, August 28, 2014, 7:00 p.m., City Council Chambers, Kyrouz Auditorium, Gloucester City Hall, Gloucester, Massachusetts. The Board members that evening were:

JAMES P. MOVALLI, CHAIRMAN
VIRGINIA BERGMANN, VICE-CHAIR
FRANCIS S. WRIGHT, JR.
DAVID B. GARDNER
LEONARD A. GYLLENHAAL
RICHARD C. RAFUSE

TESTIMONY IN SUPPORT OF THE PETITION:

Attorney Robert J. Coakley appeared on behalf of Fernwood Holdings, LLC.

A handout consisting of a copy of the 2005 Zoning Ordinance Amendment to Section 2.3.1, as well as a Summary of Relief Requested were distributed to the Board.

Mr. Coakley began his presentation by informing the Board that this property is the site of the former Cape Ann Animal Shelter on Main Street. Unfortunately, the Shelter building has no redeeming value or structural integrity worth saving. In addition, the building sits on a challenging site, due to the presence of ledge at the rear of the lot and a substantial increase in elevation going toward the residential neighborhood to the North, which results in water flowing down onto the site.

Mr. Coakley explained that the structure itself is conforming, however it is in deplorable condition and would most likely be condemned by the Building Inspector if the Applicant tried to make a new use in the same building. Therefore, the Applicant seeks to remove the building and replace it with an attractive design prepared by a local Architect who designed The Residences at Seaport in Brown's Mall further up on Main Street.

Mr. Coakley referred the Board to a 3-D model of the proposed building which was on display before them. He showed them that the proposed new structure will consist of a retail unit on the first floor with parking spaces within the ground level of the structure, as well as two small duplex apartments on the upper levels, which because of the mixed usage makes it by definition a Multi-Family.

Mr. Coakley directed their attention to the first page of the handout that was distributed to the Members. Referring to the Zoning Ordinance Amendment from 2005, Mr. Coakley explained that at that time, the City of Gloucester wanted to encourage housing in the City's downtown retail area and amended the Zoning Ordinance to allow three (3) residential units above a retail space as a matter of right in the Central Business District. However, the resulting Amendment failed to address the dimensional limitations imposed by Section 3.2.2 of the Zoning Ordinance, the Multi-Family Dimensional Criteria. The Amendment provides for an allowable use but not dimensional relief.

Mr. Coakley explained that the Committee to Amend disagreed on a few points so they settled short of the initial goal. The September 6, 2005 Amendment to §2.3.1 allows three (3) dwelling units as a matter of right above retail in the Central Business District so long as the retail or other business/commercial use is retained at street level and the existing parking ordinance is met. However, since they never came back to address the dimensional limitations of §3.2.2, the City's goals have been left unfulfilled unless the Applicants come before the ZBA.

Mr. Coakley told the Board that not only is ZBA approval required, but City Council approval for lot area per unit and open space per unit is required as well. He went on to point out that there isn't open space on Main Street; most all of the buildings are wall to wall on their property lines which is consistent with downtown Planning goals. Mr. Coakley said that the intent of the Amendment was to make it be a Special Permit which is a lesser standard. However, the way it stands now, the Ordinance is contradictory- if it

is allowed by right, an Applicant shouldn't need to still go for lot area per unit and open space per unit at the City Council level.

Mr. Coakley told the Board that if they had visited the site this week, they would have noticed it had been freshly graded. Mr. Coakley wanted the Board to know that the Applicant was not doing anything wrong, he was cleaning up his parking lot, and with permission from the Gloucester Housing Authority, he also cleaned up their parking lot next door. The Applicant has worked through the Building Inspector and the Ward Councilor to clean up the mess that was left behind by the Cape Ann Animal Shelter. Three dumpster fulls of trash, debris and stumps were removed to create more available parking on site.

Regarding that parking lot next door, Mr. Coakley stated that The Applicant has verified through the Building Inspector and the Gloucester Housing Authority that there is a Lease in effect for parking in the vacant lot next door at 256 Main Street (Map 13, Lot 9). This parking lot is open to the public and is one of the only of its kind on Main Street.

Mr. Coakley went on to say that the Amendment requires that the retail use must be retained at street level. The proposal calls for 1,000 s.f. of retail space. The two apartments above have by his estimate approximately 1,600-1,700 s.f. for housing. The requirement is one space per residential unit. This proposal, with its interior parking for each side, is 100% compliant in terms of parking. The retail use is in compliance because of the Municipal Lease.

Member Wright asked if the municipal lot referred to is leased by the Gloucester Housing Authority. Mr. Coakley replied that yes, he had confirmed that is so.

Member Gyllenhaal inquired how long the Lease is for. Mr. Coakley said he could not remember, but it is for an extended term.

Mr. Coakley told the Board that the design they were looking at was put together by Architect Robert Mitnik. He sat down with the Building Inspector to make sure that with the parking on each side, the design did not pose any access or egress issues. Mr. Sanborn agrees that the design of the new building complies with all access issues and is Building Code compliant for underground parking.

Member Wright asked Mr. Coakley whether the new building would occupy the entire lot. Mr. Coakley replied that it basically would.

Member Wright stated that the building is not going on the original footprint, it is basically doubling in size. Mr. Coakley replied that is true, but that is consistent with the other buildings on Main Street or the Central Business District dimensional criteria for retail usage.

Mr. Coakley told the Board that a lot of time was spent with the DPW Director, Mike Hale, regarding curb cuts and utility considerations. Mr. Coakley noted that the existing curb cut is quite extensive.

Mr. Coakley went on to say that there was a gentleman here earlier from the Moose, which is right next door, to inquire about the project. Mr. Coakley said he showed him the model and explained the project to him and he left happy. Since the Moose building is basically right on the property line, the proposed design does not put any windows on that side.

Looking at the model, Member Wright stated that he was confused and asked if there was a slope. Mr. Coakley confirmed that there is an upgrade in elevation at the rear.

Member Wright then asked whether the building is going all the way back to the green that we can see there now. Mr. Coakley said basically it is. He said that currently, water cascades down the back hill so what is planned is a "slab on grade". Mr. Coakley added that there are a couple of sewer lines that come down the hill from up above so the Applicant will be mindful not to disturb them.

Mr. Coakley told the Board that the Applicant has provided for drainage which will comply with the City's Drainage Ordinance. Extensive work has been done with the DPW, Engineering and the City's Contractors to be able to tie into the utility lines for drainage purposes. Mike Hale would like to have the building taken down to install all utilities before that stretch of Main Street is paved this Fall.

Mr. Coakley reminded the Board that the only reason dimensional relief is needed at all is because, although well intentioned, the Committee to Amend didn't go quite far enough to alleviate the Multi-Family dimensional limitations of Section 3.2.2.

Member Wright inquired whether the Applicants met the height requirement. Mr. Coakley confirmed that the proposed building height is below 30'.

Mr. Coakley reminded the Board that mixed use is considered a multi-family structure under the Zoning Ordinance and that customarily it is the City Council that has jurisdiction to grant the relief. However, that relief from the City Council is not needed because the Amendment says it is allowed as a matter of right. The irony of the matter is that since the zoning change did not go far enough, an Applicant is still required to go before both the ZBA for dimensional relief and the City Council for open space per dwelling unit and lot area per dwelling unit.

Member Wright interrupted to say that he was glad the Applicant has to go before the City Council in this instance because the proposal looks like it is using every bit of available space and he doesn't want to have to rule on that.

Mr. Coakley replied that if you walk up and down Main Street you will see that this proposal is consistent with the rest of Main Street. The Central Business District is mixed

residential and business use. He said that the proposed building is not out of character for the area. The Moose lot next door is wall to wall building with five (5) residential units above, as is Nelson's Building on the other side of the Housing Authority lot.

A discussion ensued amongst the Board Members as to which buildings in the area took up the entire lot with residential units upstairs from retail spaces.

Member Wright stated that it is not a question that there is a lot of grandfathered lots there. He said it "gives him pause" and he is glad that this Board doesn't have to deal with it.

Member Gardner said that he understands the Variances requested, however he is confused as to the Special Permit that is being asked for. He asked whether there isn't a use Special Permit.

Mr. Coakley said that he cannot precisely interpret the entire Zoning Amendment. He added that a particular Special Permit was not specified in the Application because it is not clear in the Amendment to the Zoning Ordinance as to which one applies for the expansion, but it is not a Use Permit.

Member Gardner asked Mr. Coakley which Special Permit he felt applied to this proposal, the one for expansion or the Special Permit with the six different criteria to be considered.

Mr. Coakley replied that he didn't feel it mattered because either way, he believes the proposal complies. Regarding the six factors: Social, economic and community factors, adequacy of utilities, neighborhood character, fiscal impact, etc. They are all met here.

Member Gardner stated that as far as he was concerned, this proposal complies. He just isn't sure whether the other Special Permit deals with business.

Mr. Coakley replied that regardless, if you are enlarging the structure, you must come before this Board. He also said that if the Board has a mind to, since he always puts a "catch all" in the Application, the Board could grant a Variance from the requirement of going to the City Council, which was the Building Inspector's suggestion. He told the Board that seeking a Special Permit from City Council is going to cost the Applicant months of time and thousands of dollars and it would just be a rubber stamp due to an oversight in the 2005 Amendment.

Member Wright said "no". He then asked what the three "windows" are below on each side. Mr. Coakley said they are openings for ventilation and they are going to be grated.

Member Gardner said his only concern is whether or not this design is going to stand out in the neighborhood like a sore thumb. He went on to further say that it is so important in Gloucester if you are putting something on Main Street to make it conform to the character of the neighborhood.

Mr. Coakley stated that the sides of the model look like bricks, but the exterior façade is actually made up of composite panels but he was not sure of the size.

Thomas Taliadoras, the Representative of Fernwood Holdings, LLC, addressed the Board. He stated that the composite material comes in 2' x 3' panels.

Member Gyllenhaal asked if it was Hardie Board.

Mr. Taliadoras said it is similar to Hardie Board in that it always keeps its color.

Member Gardner said that this brings up his point. Gorton's across the street is all brick and Halibut Point is all brick.

Member Gyllenhaal asked what about the Purple Building. Member Gardner stated that building has been there for 100 years.

Mr. Taliadoras stated that the front of the proposed new building is brick and the sides would be composite.

Member Wright interjected that the front looks like "mostly air and plate glass windows" and asked why they can't put brick on the sides.

Member Gardner added that it is important to make sure it fits in from the get-go.

Mr. Taliadoras responded that Fernwood Holdings wants to fit in. He added that in addition to being easy to maintain and less expensive, the composite materials are much easier to install, which is important when doing construction on Main Street.

Chairman Movalli asked Mr. Coakley if he could put a condition in the Decision.

Member Gardner interjected that if the Applicant is looking for relief, he thinks the Board has the right to condition that relief on whatever they want, and he feels that the entire building should be brick.

TESTIMONY IN OPPOSITION TO THE PROPOSAL:

Dennis Feeney, of 15 Prospect Square, addressed the Board. He was concerned about a sewer pipe being left. He said his house is the red-roofed house on the hill that is behind this site. Mr. Feeney stated that the sewer pipe is an old, clay pipe that is inactive and he feels it should be taken out. He added that sewer has backed up into his house in the past.

Chairman Movalli asked Mr. Feeney to show the Board on the Plan where the pipe comes from. Mr. Feeney did so.

Member Gardner asked Mr. Feeney if he is so high up on the hill, how the sewer could back up into his house. Mr. Feeney replied that it was due to the amount of pressure in the pipe.

Chairman Movalli clarified that this is an old pipe and Mr. Feeney wants it removed. Mr. Feeney stated that if it was removed, he would have no objection to the project.

At this time, Mr. Coakley was allowed his rebuttal. He stated that this project would not be making use of that pipe in the future. The proposal calls for Fernwood Holdings to put their own sewer line in from the new building. Mr. Coakley also stated that since the Moose building uses that pipe, no promise could be made that it will be removed. He said that if it was allowed by DPW standards, it could be capped.

Mr. Taliadoras added that 260 Main Street building has stopped using it. The Moose still uses it. There will be a new line from the new building to Main Street. Mr. Taliadoras told the Board that if he had the proper permission, he would remove and cap the rear portion because it is an eyesore.

Mr. Feeney stated that he would have no problem calling the State DEP.

Chairman Movalli told Mr. Coakley that if this proposal is passed, capping the old pipe for Mr. Feeney's house would be Condition #2. He reminded him that Condition #1 is that the building will be all brick.

DISCUSSION BY THE BOARD:

Member Gardner commented that Mr. Coakley had indicated that this is an alteration and expansion of a non-conforming use. The proposed use is consistent and in harmony with the current Zoning Ordinance. It is not more detrimental to the neighborhood. What exists now is an old, dilapidated building and what is proposed is attractive and in harmony with the Zoning Ordinance, as amended. Member Gardner further added that if Mr. Coakley wants the Board to consider the Special Permit based on criteria A through F; he feels all six (6) criteria are satisfied. Member Gardner went on to specifically discuss the Applicant's compliance with each of the six points. Retail below with apartments above is consistent with community needs. It is also consistent with neighborhood character, as it is a mixed use of retail and residential. Member Gardner expressed that the most important point to be considered by the Board is the potential fiscal impact. He said he feels it is very positive to be taking down an old, dilapidated building and replacing it with a new one, as it will be a tax improvement for the City. Member Gardner stated that as such, he is voting in favor of the Special Permit.

Regarding the "basketful" of Variances, Member Gardner commented that there is a hardship for which relief can be granted and therefore he is also voting yes for the Variances.

Regarding the two Conditions, Member Gardner stated that the first condition is that the building is to be all brick. He said it has been represented to the Board that the side adjacent to the Moose cannot be bricked because the new building is on its own building line right next to the Moose. However, if it is visible from Main Street, it needs to be bricked. The second Condition is regarding the old sewer pipe. Member Gardner said that according to Mr. Feeney, it is no longer in use except by the Moose. To the extent that it is legal and feasible, so as not to impede the Moose's portion of the pipe, the visible part will be removed in accordance with the Building Code as applied by the Building Inspector.

Member Gyllenhaal voted in favor of the Special Permit and the Variances.

Chairman Movalli stated that he agrees with his colleagues and also voted in favor of the Special Permit and the Variances. He further added that this Board had pushed for the 2005 Amendment to the Zoning Ordinance for years. He said that it is ideal to have apartments over these buildings. He also added that he feels the proposed new building will fit in perfectly.

Vice-Chairman Bergmann said that she also agreed with her colleagues wholeheartedly. She said she believes the new building will be a tremendous addition to Main Street and she is therefore voting yes to the Special Permit and the Variances. She went on to say that as far as the Conditions are concerned, she is wholeheartedly in agreement with the exterior of the building needing to be brick.

Mr. Coakley suggested that perhaps the Architect could submit a sample of the composite brick to Member Gardner. He added that aside from the cost, to lay brick by brick is extremely time consuming, which is detrimental in the City's downtown area.

Member Gardner replied that it should be brick.

Member Gardner stated that he would like to see the whole building brick. He said that it is a little bit more money, but it would have a more aesthetically pleasing impact.

Member Wright said he is in agreement with both of the Conditions and is voting yes to both the Special Permit and the Variances.

VOTE OF THE BOARD:

Therefore, upon motion duly made and seconded the following relief was granted to enable petitioner to demolish the existing building and rebuild a new structure containing retail on the first floor and two (2) residential units on the upper floors at 260 Main Street:

- Special Permits as applicable under §2.4.3, §1.9 and §1.8.3 of the Gloucester Zoning Ordinance and M.G.L. Chapter 40A to change, extend or alter a pre-existing non-conforming structure at 260 Main Street.

Subject to the following Conditions:

1. The façade of the building will be constructed of brick on all sides; and
 2. To the extent that it is legal and feasible, so as not to impede the Moose's use of a portion of the pipe, the rear portion of the old sewer pipe up to 15 Prospect Square will be removed and capped in accordance with the Building Code Standards as applied by the Building Inspector.
- Variances under Section 3.2.2 of the Gloucester Zoning Ordinance:
 - a) Lot Area- 6,861 s.f.
 - b) Lot Width- 40'
 - c) Lot Frontage- 22'
 - d) Front Yard Setback- 15'
 - e) Left Side Yard Setback- 7.5'
 - f) Right Side Yard Setback- 7.5'
 - g) Rear Yard Setback- 1'

This Decision shall not take effect until notice thereof is filed in the Registry of Deeds of Essex County. The fee for filing such notice shall be paid by the Applicant. Prior to filing this decision with the Registry of Deeds, Petitioner shall have the Seal of the City affixed to same.

Note: The within vote is in accordance with the plans submitted and approved by the Board on August 28, 2014. The petitioner must substantially construct according to those plans submitted and approved by the Board on August 28, 2014. This decision is granted in accordance with the Zoning Ordinance as revised through October, 2008.

IN FAVOR OF THE REQUESTED RELIEF:


JAMES P. MOVALLI, CHAIRMAN


FRANCIS S. WRIGHT, JR.


LEONARD A. GYLLENHAAL


VIRGINIA BERGMANN, VICE-CHAIR


DAVID B. GARDNER

OPPOSED: None



CITY OF GLOUCESTER 2014 CITY COUNCIL ORDER

ORDER:	CC#2014-039
COUNCILLOR:	Greg Verga

DATE RECEIVED BY COUNCIL:	09/23/14
REFERRED TO:	P&D & O&A
FOR COUNCIL VOTE:	

ORDERED that the City Council Planning & Development and Ordinances & Administration Standing Committees review the recently vacated position of Harbor Planning Director together with the position of Executive Director of the Fisheries Commission, which has been dormant for many years, to determine whether one or both of these positions should go forward as full or part time positions and if they should go forward, what are the future development needs of the City which these positions would be structured to meet;

FURTHER ORDERED that the O&A, following this review, should as appropriate, add these revised positions to the Personnel Ordinance Compensation and Classification schedules; and

FURTHER ORDERED that the matter be referred to the Planning & Development and Ordinances & Administration Standing Committees for review.

Greg Verga
Councillor at Large